

starting now. There are the tours in Siberia that David Locks and Bill Klassen are implementing. That is a start. It is things like that that we might have to start pushing.

Mr. Peter: I agree with Howard. I think it is probably some time where we have to look at the similarities between northern countries. In some instances, we may have more common issues or examples with other northern countries than we do with southern Canada. Specifically in Yukon's case, the Porcupine caribou is one good example of a common item between the Yukon and Alaska. Yukon salmon is another one. There are ongoing negotiations dealing with Yukon salmon. Those are things that make Yukon unique, compared to other parts of Canada. Probably because of their own evolution, southern Canada has relationships and arrangements with northern States, whereas the Yukon is just beginning to explore that whole relationship with Alaska. Those few things, from a community point of view, have a direct bearing. In Mayo's case, the salmon is one example. The Porcupine caribou may not be as great to Mayo as to Old Crow, but there are those kinds of things. The caribou do not recognize what jurisdiction it they are in.

You need to look at that kind of development of relationships between the Yukon and Alaska, and the Yukon and other northern countries. Our location makes us common in terms of the weather, different factors that we have to take into account, like the cost of bringing things into the Yukon. There are a lot of things that should be looked at in terms of circumpolar relationships.

From what I understand, that has begun, in terms of these meetings that have occurred over the years.

Ms. McGinty: As a delegate to the circumpolar health conference in Whitehorse, I was absolutely amazed not necessarily at the similarities, because I suspected such, but just exactly how close the similarities were as opposed to the differences. There were many more similarities than there were differences, specifically because it was a health conference. In the areas of community development and social development, and the building of people, and the fact that Canadians are really advanced in that area, as compared to another country. As compared to places like Sweden and Norway, we certainly are not as developed as we might be in the areas of social development in northern lands. It was very interesting and well worth attending.

Ms. Hayden: Are there any other issues? I think we have pretty well touched on them all.

Ms. Davies: I do not know if this falls into the area of things that your committee looks at, but I really question the practicality of having party politics in the territory on a territorial basis. Even though I am involved, to some extent, in it, I can see nationally the need for parties. I have a lot of difficulty, with the territory having such a small population base, at having a number of political parties.

I remember, years ago, you voted the best person for your area, and everybody sat in the Legislature and picked an executive and dealt with things of concern to the whole territory.

I do not know if that is an area that you look at in your constitutional development.

Ms. Hayden: Anything that people raise.

Ms. Davies: I do not know how it works in the NWT without the party politics, but I know how it was before. I am not saying it is not working well having parties. I just think the territory is very small, and that may not be the best way to approach things.

Mrs. Firth: The last discussion I had with some of the Members in the Northwest Territories, they were telling me that they would probably be running along party lines in the next election.

Ms. Ronaghan: I would agree with Sue. It would be different if common sense came into party politics. When one party thinks of it, that is great, and the other party is then absolutely against it, whether it is a good idea or not. That is what I say about common sense. It would be all right to have parties if they could agree once in a while, when something is good. They just so very seldom ever do. When the Legislature is in, there is too much petty bickering about things that are not important, whereas they should be talking about things that are good for the territory.

Ms. Davies: There are basic philosophical differences between the parties, but it seems that, in the end, even though one party might be in power and have very specific policy ideas, they are so influenced by any interest group, by any group that mobilizes itself politically and gets the media; even though they might say their stand is a certain way, in the end, they buckle under to all kinds of things and try to do what seems the best for everybody to keep everybody happy.

I do not really see people going really solid party lines.

Ms. Hayden: Do you think that did not happen before, when they were not labelled with parties?

Ms. Davies: I am sure that people cliqued off in groups of similar ideas and that. I think more like Howard was saying about a referendum vote. I think there should be more referendums in the territory on lots of things. It should be more of a participatory democracy, where people get involved and, if they do not have a vote or say anything, then it does not happen. If they really care about something, they make it happen. That really does not leave a lot of space for parties.

Ms. Hayden: How do other people feel about that, in terms of referendum voting?

Ms. McGinty: Lately, the whole concept of getting Yukon to voice their concern with all kinds of areas, like the education act and the economic development paper, have been positive, that people have been able to work together and say what they feel. That is a really good thing.

With the education act, or the child care act — those examples come to mind only because I was involved in them — people felt some success because what they said was at least considered. I am not sure that everybody's voice was heard when it came time to write the legislation, but at least people were made to feel heard. I think that is a good thing.

I agree with Sue. Participatory democracy means a lot of things. In my mind, it also gives a lot of responsibility to people. If you go full circle, it also means there is a responsibility for community development, people development and literacy, so that people are able to participate in an equal fashion.

As you know, 1990 was the year of literacy, and there were all kinds of articles written. One that comes to mind right now

was one written by Peter Gzowski, when he said, do we truly have a democracy when so many millions of people are illiterate in our country and are not able to read even a newspaper on which to make a decision on whether they did or did not support an issue. I think that simply saying participatory democracy is one thing; along with that comes a whole lot of other responsibilities on government.

Mr. Martel: There is one thing wrong about referendums. If you are a minority, you can get trampled on by the majority. That is one thing that is bad about that. Politicians can go with the wave but, once the vote is down and the majority speaks, if the majority wants to go against a certain minority, you have nothing to say. The majority says that is the way we go.

Ms. Davies: Lots of times, you vote for a politician because they say a certain line and, then after they get in, they are swayed by everything else, and you do not see the things they prioritized.

Mr. Martel: I know, but look at California. They had language laws. Once you put the vote down, the politician washes his hands of that. The people voted. If you are a minority in there, you suffer. That is one thing that is bad about it. That is why Quebec wanted to abolish the Senate. They do not want anybody to have a veto power. They wanted a veto power to protect their minority. People did not understand why. I did not understand until the end what the whole fuss was about. All of a sudden, I saw the light. I said, I see why they want that veto power, because they are a minority, and they want to protect that.

If you had referendums, but you put in a law that a minority could have veto power over the law, anything that would adversely affect them, it would be okay because you would not infringe on anybody's rights. As long as you do not infringe on anybody's rights.

Ms. Lindstrom: It is pretty hard to do, though, if one says yes, and the other one says, veto that, that is against my principles and rights, and the other guy says, but that is against my rights. So, the majority would have to have the rule.

Mr. Martel: The thing is when it becomes cultural. The majority vetoed the Indians. Culturally, we are the majority here.

Ms. Lindstrom: Statistically speaking, I do not know. Are you a minority?

Ms. Hayden: Yes, 19 percent of the Yukon Territory.

Ms. Lindstrom: I mean across Canada.

Mr. Martel: That is always the danger with a referendum. You have a bunch of guys who are allowed to wear turbans. If you had a referendum, they would never be able to wear a turban. Even though I would vote against it, I would say, maybe it is a good idea in the long run, because you become more ...

Ms. Lindstrom: Each person has to vote by their own heart. Do I feel this is right?

Mr. Martel: There again, this is why this country is so backward, because people do not understand that you cannot infringe on other people's rights. If this country would understand that, we would not have any problems at all.

Ms. Lindstrom: We would have world problems, then.

Mr. Martel: That is our only problem. That is why

Quebec said, you guys do not want to let us run our little plot of land like we want, we will go somewhere else.

Ms. Ronaghan: The problem is that, every time somebody stands up and says, I demand my rights, they are infringing on somebody else's, every time.

Mr. Martel: Not necessarily.

Ms. Ronaghan: Yes. You think about it. Every time somebody says, this is my right, he is not thinking about what it is doing to this person or that person. If I demand my rights here or there, chances are I am infringing on somebody else's.

Ms. Lindstrom: That is right. It is a two way edge.

Ms. Ronaghan: Along with rights come responsibilities.

Ms. Hayden: To bring it back, if we were to have a referendum on constitutional development in the territory, and this was where we started with this, that that would be the way to do it?

Ms. Ronaghan: I think that is the only way to do it.

Ms. Lindstrom: I think it is the way that is right.

Mrs. Firth: That is a common opinion we have heard. People want to be involved in that decision.

Ms. Ronaghan: The problem with committees like yours travelling around, how many people do you really talk to? We are what percentage of the people of Mayo? Committees actually talk to a very small percentage of people. Whereas, if you have a referendum, you might get 50 percent at least, if you are lucky.

Ms. McGinty: Forty percent would vote.

Ms. Lindstrom: That is 40 percent who are exercising their rights.

Ms. McGinty: That just confirms what I just talked about, and that was whether or not they are educationally, or whatever, prepared to accept their responsibility or role in society.

Ms. Lindstrom: We still have the same problem, the way it is now.

Mr. Peter: The point Vera raises is an important one. Before you can ask somebody to make a decision, at least try to inform or educate them on what it is they are deciding on. You need more than a one night with the two of you and a small handful of us, especially for something as important as the future political development of the Yukon, and that is what we are talking about.

Ms. Hayden: One of the things we have heard in every community is that people are saying, before we make any kind of decision about anything, we need to have more information, we need to know what it would cost us, we need to be better informed, whatever that may mean, in terms of how that is done.

Mr. Peter: Ideally, if we could have a situation where, after both of you leave Mayo, there is something here for the rest of Mayo to do while you are continuing on your travels, if it is some sort of educational program for the school, because it is really their future we are talking about, and something else that can perhaps be carried on other evenings, when people have more time to come out to meetings. Just so it is more than one night, and it is something that we, as Mayo people, can do after you have carried on down the road to other communities.

A repeat of something like this, for example, tonight you have 13 or 14 people. After a month of community discussion,

if we can call it that, you come back again and see how many people fill the room. That is almost some kind of an indicator of the sense of people, if you can go and multiply this by four times, obviously something is happening.

Mr. Martel: Is there going to be another committee? Is this the committee on the constitution, like Spicer is doing? No?

What do we do in 18 months? We are not even preparing ourselves for what the rest of the country is going to do. They have been saying all the time, get off your ass and move a bit, talk and let us know what you are going to do.

I thought this was going to be it. I thought this was the thing to see.

Ms. Hayden: An educational kind of thing?

Mr. Martel: Where the Yukon was going to head for.

Ms. Hayden: In many ways, that is part of the questions in the green paper.

Mr. Martel: We do not have any contingency plan if something goes wrong.

Ms. Hayden: What you are saying is, if we had a chart that says, if we went this way, this is what it would cost and, if we did that, that is what it would cost.

Mr. Martel: Yes, something to chew on, at least. You look at it and say, these are our options.

Ms. Lindstrom: You are looking for guarantees.

Mr. Martel: I am not looking for guarantees. I want to try to see what is going to happen. If things do go bad back east, it is going to affect us here. Somebody should be saying, this is what might happen, not that it is going to happen. At least, you have some kind of an idea.

Ms. Lindstrom: Everybody will have ulcers.

Ms. Hayden: If it does not, how will that affect us. I suspect that no one knows.

Mr. Peter: The other point, in any kind of constitutional development, is that it is not going to happen overnight.

Ms. Hayden: We are not talking this year or next year.

Mr. Peter: It took the provincial and federal government over 30 years just to agree on an amending formula. Here, we are starting from scratch.

Ms. Hayden: We are just the seed that gets planted.

Mr. Snider: It is an opportunity for the Yukon to be really positive about what we want. If we are reactive to what other people might do, God only knows. We must have a thousand possibilities, because nobody really knows. What has happened is one province has set an agenda, and everybody else has to somehow measure to that, where it is an opportunity for the Yukon to say something really positive.

I just came from the 10th anniversary of the Bishop's enthronement. When the Yukon had the first opportunity to choose its own bishop, we did a funny thing. We decided an election on the basis ... ecclesiastical province of British Columbia. We included agendas from the five dioceses in the ecclesiastical province. That is all five dioceses in British Columbia will be part of our election, which meant a third of the people in that election were from British Columbia. That was a way of being in contact with the rest of the church, at least in one of the four provinces in Canada in the church. We did that, and that was innovative as blazes. I was part of it, and it is funny when you look back. Nobody else had done that

ever before. When the Diocese of Toronto elects a bishop, they never ask anybody else from any other diocese to be part of that. If they wanted you to run, they would ask you, but they would never ask you to be part of it. So, it was an innovative thing.

Everybody started to write from smaller dioceses that had the same problem of being sort of isolated. They started to write to say, what is this about. We want to know about it; it is very interesting. We had an opportunity to do something to make our own statement that fits into the whole scheme of things. It is pretty hard to know where everybody else is going to go. The trick is, where are we going to go. We have enough dynamics to deal with in the Yukon and, if we could be really creative and have the fabric of the Yukon really pulling together, that might be a fair contribution to the national picture, without being radical.

We could say, we are going to go in arms and join Alaska, and that would really get lots of attention, more attention than participation at the Canada Winter Games.

Ms. Davies: We will use the Arctic Winter Games as the basis of our new constitution. Whomever gets to go to that can join this country here. We will just have it circumpolar.

Mr. Snider: That has been talked about before: if you join Alaska, or threaten that. That is about the mentality that is starting to exist at certain places. That is what I hear, anyway. I might misread it, but I think somebody sets the agenda, and everybody else is supposed to worry and scare and put more stuff on the table and say, will that satisfy, and all this kind of thing. The Yukon has an opportunity to be far more creative than that. We do not have that many people. I think it is interesting what we can say to the country. I do not think we can say anything new and startling, but if we work with the dynamics that we have, that is enough to keep people here entertained for a while, anyway. I think that would be a real contribution in the picture. That is the way it looks to me.

Ms. Hayden: We have previously heard people saying, we think that we are somewhat unique and we want to stay that way, and that is kind of what I am hearing you saying, is that we have an opportunity, if we have the creativity to put something different together.

Mr. Snider: At the environmental meeting we had the other day, there was a bit of discussion about rights and freedoms on the environmental act. Somehow, that is a very American way of approaching the subject. I do not know if it is politically dangerous for anybody to say there are responsibilities of Yukon citizens about the environment. Is that authoritarian? I wondered that at the time. Nobody brought it up, but I wondered. Do the citizens of the Yukon have a responsibility about the environment, not just rights or opportunities. That is not the right word. I think it is rights and freedoms.

You have to protect rights and freedoms, but it would be interesting to see if there were responsibilities. I do not know how you would do that without politically being oppressive. It seems to me that, if somebody is making a mess of things, is it just an individual telling on somebody? Is that all that is happening, or is it a citizen protecting the whole rights of the territory by reporting something?

It is like craftsmen in the workplace. Would a person be

protected if they assert the rights of the whole more common good. For a socialist government, I think it would be a dangerous kind of thing. I thought of that, but I did not bring it up at that time. I think it is something to think about, though. Are you really sticking your neck out too far? I think that is a pretty legitimate thing to look at. If everybody is riding on the train and protecting their own interests, like the average of everybody's protection of their own interest could mean the environment keeps going the way it has been going, and we end up fighting over a piece of cloth that evaporated because there was acid on it, we put it in water, and there was nothing left of it when it came.

It seems to me that the responsibility side of it should be an issue that is raised. If I understood Erik Nielsen all the time he was hammering away, he was talking about responsible government as a noun, and not a verb, but you have to bring both of them together, if I understood what he was talking about. I think he advanced that fairly eloquently to give people something to really think about.

Mr. Hager: I have quite a few concerns with this, myself. Being an Indian person, the constitution that means so much to us, as we are just now negotiating land claims, I have a fear of a constitution. We Indian people have fought quite a bit at First Ministers Conferences to try to be recognized in the constitution, which we had never been before. We had always been under the *Indian Act*. Now, we are catching on to what constitution means to us. So, we want to get involved in it. We are doing everything we can to be recognized as aboriginal people across Canada and have our own say to get our people in a strong society of First Nations right across Canada.

My biggest concern in this community is, how am I going to sell my self-government into a constitution if non-natives do not understand it? As Indian people, the Na-Cho Nayak Dun is working with the village council here. My biggest concern to them, that I brought out, was how do we really get people to recognize land claims here? How do we get the support of all non-native and native people to settle the land claim here in Mayo?

My biggest ... to them is we have one big joint community meeting here of all regions: Keno, Elsa, Stewart, all the head business and mining, as we did in 1983, when we brought our land claim to the table with the non-natives. That is the sort of thing we want to do now, and we want to get people to really understand self-government. That is where we would be coming in.

It is too bad that, too soon, you guys come along. If we had that meeting, I think you would clearly understand where we are coming from. I think we will have Albert coordinating the meeting that is going to take place probably April 27.

Mr. Peter: I think some time in April. We are trying to get the three party negotiators — federal, territorial and CYI chief negotiators — to attend, too. They are kind of bound by their schedule.

Mr. Hager: Ourselves, too, what Quebec is asking and the Indian people are asking another thing, too, and the government is really not in favour of aboriginal people across Canada. That is one of the things that the land claim would have to answer for. That is why we are negotiating land claims, to make sure we will be recognized in the constitution.

As I see you two coming up, what do you have here? What information do the people have? Some time along the line, like our MLA, look at where... some times. He gets elected and appointed to be a minister, then some time we do not see him around here. If the government knew this was so important, why do they not hire five people in this community. Cal does not have a job, and his wife. People who do not have a job need those kinds of jobs. Why do they not get these people out in the community to do this kind of a survey? If you come here, they would have an answer for you guys. There would probably be more people at this meeting.

Ms. Lindstrom: Instead of bringing in outside groups to do it, who leave again and have no impact.

Mr. Hager: The government always wants a big centre. Look at how big Ottawa is, and all the people working there. Whitehorse is like Ottawa to us. Everybody works there. They do the work there and then try to pump it to us at the community level, and people just shoot it down. It is just a waste of money. Look at the constitution. Ten years of working on it, and where did it get to? It is back to phase one again. How many billions of dollars have been spent on this constitution? The lawyers and consultants make lots of money, but how about us people?

Mr. Snider: Robert, did you think the whole national thing of self-government the First Nations were doing is what everybody should make a decision about, or were the First Nations of Yukon advancing that in the constitutional discussion of the Yukon?

Mr. Hager: We want to sell our package to the non-natives, and we want to educate them. We also need education for non-natives, also. We have to fit something in right here, somewhere along the line, for Indian people to be recognized in the constitution. Right now, the Prime Minister can take a vote and throw the *Indian Act* out tomorrow but, if we get recognized in the constitution, that will never be. We will not have to worry about that year after year.

Mr. Snider: Would a creative approach to the Yukon constitution meet part of that objective?

Ms. Hayden: Not for Indian people.

Ms. Lindstrom: I favour the natives' point, because I believe they have their rights and they should be recognized.

Ms. Hayden: Absolutely. I do not argue with that.

Mr. Martel: It is deeper than that. You go on one small point, but it is way bigger than just self-government. That is only the tip of the iceberg. It is the same thing with Quebec. They focus on one little point, but it is just the tip of the iceberg.

Ms. Lindstrom: I realize it is just the tip of the iceberg but, as the First Nations were here, they invited us to come and live with them.

Mr. Martel: The French say the same about the English. That is a common starting point for any discussion.

Ms. Lindstrom: I realize that. I was raised French.

Mr. Snider: Has there not been 20 years of discussion in the Yukon about the relations of native and Caucasian people? I think a lot of water has gone under the bridge, and probably a lot of lost opportunities, but I think a whole lot of people have done a lot of sweating though, trying to figure out what this whole deal involves, without a lot of good information. I sense there has been a lot of growth from where it started when we

first heard about it.

The first thing I ever heard was in 1968, when they said, it will take about nine months to get this all settled. We were down to pretty simple things that are really of no import that were the fighting issues. For example, somebody in the Klondike Valley was going to level out the tailings piles and plant grass. That was really a big deal. There were far more important issues in land claims than that. Is that not the opportunity that is there now for Yukon people to really look at it?

I think that should be our statement to the nation. In Quebec, you have the government pouring tremendous resources in to get a yes vote, to getting hydro extended in northern Quebec and sending water to the New England States. I think there is going to be a lot of twisting of arms. In the Yukon, the proportion is far better. There has been far more exposure to some of the aspirations, so there is probably more understanding.

We showed a video in the church for visitors about the rationale about land claims. It would be good if all people were fairly conversant with that and exposed to it, not with just heat, but with light. That is part of the discussion that Robert is talking about. Self-government is just like a balloon in the sky for me, and I do not exactly know what that means. I would love to hear what different people say about it, and if everybody agrees. Do you know what I mean? I am not being sarcastic, but that is just the way. I heard an Indian minister once and I said, when the missionaries come, what do they talk about? This was in the 1910s and 1920s. He said, they teach you about the Bible. I said, what do they tell you about what is going on? He said, some minister had a picture in the Bible of a balloon, and some white guys were supposed to be travelling through the country in this thing. What did they say about that thing? They said if we saw it, do not shoot it.

We have to develop some sensitivity to where people are. If a small community in the Yukon cannot do it, I do not think the nation will do it. That is my guess, because there is too much estrangement. I think we have a lot of that in the Yukon, but we have a lot of possibility that people have had exposure for a long period of time. If we have not gained any ground in 20 years, I do not think we will make it. We are at a good time for people to be rational, to be exposed, to be considerate, and to say, how can we work a legitimate thing out?

I think it is a good opportunity, if we do not blow it. There is no way I figure the Yukon is going to wag the whole nation but, if we made our contribution, it might be something that really started to be really good here. Different from the Northwest Territories, because the proportion is different, but the exposure is a different kind of exposure and a different kind of experience, and that has something to say for it, too.

If the First Nations people can have a really good crack at it, and people will listen, you are going to have rednecks and racists, and you have to live with that. The effort is worth it, and something good might come.

Mr. Hager: Also, it is almost like I keep after the government for an information officer for the non-natives here. What do the non-natives get for information in this community? There is nothing. The chief negotiator comes up here and has meetings similar to this every time we are negotiating. That is the only information non-natives get here. Our session is open

to anybody, as we are negotiating along. That is the only information we can give out to the people.

Even myself, I get criticism for not giving out enough information and living here. It is just lack of funding and resources. We would surely like to get people involved in what is going on. It is a government responsibility. People from Keno, Elsa, and Stewart should be represented. The government is not pumping out money to get these people out to the negotiations table. Land claims is part of the constitution, for sure.

Ms. Davies: As I said at the beginning, I do not think we can start looking at all at the Yukon in terms of all of Canada until we look at what has happened with land claims and what kind of a social order or system we have here. I think people have to realize there are going to be changes. You cannot negotiate a land claim of this magnitude for so long, and just be expecting it is going to somehow fit in to the nice system that is already there. Now, let us start looking at the federal agreement. It cannot. People will be really disappointed if it is some piecemeal little thing.

Ms. Hayden: I would be very surprised if that is what they think.

Mr. Hager: Even ... said you are going to explode, not only for Indian people here. As we look at it, it is also going to explode for non-natives. That is why we are jointly negotiating the whole thing, not only as a native people.

Mr. Snider: If it worked, it would be to everybody's benefit. I think that is the key.

Mr. Hager: That is why we want to get an answer by the community meeting we want to have. This is where my fear comes in. Is it going to be favourable to everybody? If it is not, then we have to take different routes, just go and ... native land claim itself. That is something we have to get answered at that meeting. Maybe the first meeting would do it, or the second or third meeting.

Mr. Snider: I think the biggest thing to fear is fear. If everybody holds back and nobody talks to anybody else, everybody can guess what everybody else thinks, and everybody could be an expert on what everybody else thinks. You do not really know until you test it and work it out. I think the population of the territory is small enough to really have a good crack at that.

Ms. Hayden: So, what you are saying is that it is an advantage to have a small population?

Mr. Snider: Yes, we have to live with all the ramifications but, if we do not make it here, I do not see that a province like Ontario, British Columbia, Quebec, all kinds of places, although I think New Brunswick might, with aboriginal and Caucasian people, I would not guarantee they are going to jump for what Robert or Albert says, but the possibility is there. There has been enough exposure over enough period of time that some of their fears might be worked out, and they see some of the things that are possible, and some of the structures. I think I could be as schizophrenic as anybody. You might be a redneck person and fear, like the first things you heard in 1968 when the whole thing started, what this is going to do, and people said there was going to be apartheid, and on we go. Everybody plays on all kinds of fear, but there are all kinds of opportunity now with things getting worked out.

My guess is there is a fair bit of support for the aboriginal people getting their thing under control. It would clear the deck and change the rules, and people would know where they stand. That was the argument I heard Erik Nielsen advancing right at the start of it. You thought that he was going to build a mine or something, but he was talking that everybody would know the rules.

If a mining company wanted to do something, they would know who they had to deal with. It is not like B.C. I might be wrong, but it seems to me that the provincial government keeps selling native people's resources underneath the table, earning revenue. At the same time, they do not accept any responsibility in a meaningful way of trying to solve the problem. I do not think that is going to work here, because I do not think we have those kinds of resources ... for that period of time. I think you actually have to get people working together, somehow. I think the time is right around now.

I might be wrong. Advance something like that, and everybody might hate you, but I would not mind to say it. I think that is what has to happen. I cannot see any other way.

Ms. Lindstrom: I think there has to be priorities, instead of having all these different irons in the fire. There are too many things going, and everybody gets bogged down with too much information.

Mr. Snider: That is why I do not think it would solve the national thing but, in the territory, we might be able to work on a fairly creative possibility and say, let us try to do our thing relatively well, instead of going off on an extreme. The extreme things will get you publicity, and you might scare somebody, like we might end up getting bombed by the States, or something.

I think a really positive thing is taking on the public relations, and that is where you tell your story, and somebody else, and put that whole thing into a mix. I think that could be really interesting.

Ms. Lindstrom: Do you mean like hit the national news saying, Alaska Highway celebrations closed due to negotiations?

Mr. Snider: Yes. I do not favour that, but I am sure some people will always try a stunt to get publicity, and I think that is not going to serve in the long term interests of this territory.

Ms. Hayden: Shall we wrap it up? I thank you all very much for coming.

Adjourned at 9:15 p.m.



Yukon Legislative Assembly
27th Legislature

**Select Committee on
Constitutional Development**
PROCEEDINGS

**Band Office, Pelly Crossing
Thursday, March 7, 1991 — 2:30 p.m.**



PRINTED ON RECYCLED PAPER

SELECT COMMITTEE ON CONSTITUTIONAL DEVELOPMENT

The Select Committee on Constitutional Development was created by the following motion of the Yukon Legislative Assembly on May 14, 1990:

THAT a Select Committee on Constitutional Development be established;
THAT the Committee be comprised of two Members of the Legislative Assembly, one to be appointed by the Premier and one to be appointed by the Leader of the Official Opposition;
THAT the Green Paper on Constitutional Development be referred to the Committee;
THAT the Committee receive the views and opinions of Yukon citizens on the Green Paper, and present a record and interpretation of such views and opinions to this Assembly;
THAT the Committee hold public hearings on the Green Paper in Whitehorse and at least one community in each of the electoral districts outside Whitehorse;
THAT the Committee invite oral and written representations on the Green Paper from residents of the Yukon and, where appropriate, from individuals and groups outside the Yukon;
THAT the Committee report to the Legislative Assembly no later than the 1991 Spring sitting of the 27th Legislature; and
THAT the Clerk of the Legislative Assembly be responsible for providing the necessary support services to the Committee.

MEMBERS OF THE SELECT COMMITTEE

Hon. Joyce Hayden, M.L.A., Whitehorse South Centre
Bea Firth, M.L.A., Whitehorse Riverdale South

STAFF

Patrick Michael, Clerk of the Assembly
Missy Follwell, Clerk Assistant

PARTICIPANTS

at the Pelly Crossing Meeting of March 7, 1991

Alfred, Emma	Joe, Danny (MLA)	Roberts, Bessie
Alfred, Kathy	Joe, Julia	Schell, Ernestine
Anderson, Elizabeth	Joe, Laura	Schell, Cliff
Baker, Charlene A.	Joe, Lois	Silverfox, Mona
Baumgartner, Diane	Joe, Shirley	Thorpe, Kathleen
Blondin, Bertha	Johnson, Milly E.	Tom Tom, Jane
Boudrau, Glen	Kisul-Pennell, Babs	Van Bibber, George
Boudreau, Janie Lee	Luke, Elmer	Van Bibber, Pat
Harper, Jim	McGinty, Harry	Williams, Al
Hesleer, Roberta	McGinty, Mary	

PELLY CROSSING, YUKON

March 7, 1991 — 2:30 p.m.

Mr. Joe: First of all, I would like to introduce Bea Firth and Joyce Hayden of the constitutional committee. You might have some questions you want to ask, and feel free to ask any question you want. This is your meeting, whatever you want to do. They give us so much time, so I do not want to waste too much time standing here and talking to you. I will turn the table over to the committee, Joyce and Bea.

Ms. Hayden: Thank you, Danny. As Danny said, I am Joyce Hayden, and this is Bea Firth. Along with Danny, we are Members of the Yukon Legislative Assembly. Last year, the Legislature appointed Bea and I to travel around the territory to every constituency to ask people what their thoughts, opinions and feelings are about where the Yukon is going, in terms of constitutional development. Does it want to become a province? Are we happy the way we are? Is it important that we look at developing some kind of constitution?

First of all, before we get into it, I want to say thank you to Bertha for giving us time. That is really nice. Thank you to all of you for giving us the time to tell you a little bit about it and to hear some of your thoughts.

Missy and Patrick, who are the staff with us, have asked if you would not mind giving your name when you make some comment or question, because they are not going to be able to keep track of who everyone is. We will be reporting back to the Legislature in the spring, after we have gone to every community. In order to report accurately, and to get it right, we are going to tape everything. To do that report, they need to know who is speaking.

We will be sending copies of the report back out to your band office, and it will be available to you. You will be able to see what other people from other communities do, as well.

This is our second week. We have been up the North Highway, and we went to Dawson and Mayo, and we are going to Carmacks tonight.

Quite honestly, on people's list of priorities of provincehood or where we are in relation to the federal government, it is not exactly really high when you are thinking about day-to-day needs and priorities. It is important in terms of long range planning in looking at what the Yukon is going to be like in the future for you and for your children and for your children's children. I know that a lot of that is what your people are doing in terms of land claims.

What is happening with this committee is we are trying in some way to do some of that planning beside you.

I would go to the questions, unless Bea has something she would like to say.

Mrs. Firth: I just want to welcome everyone. This is the biggest turnout we have had. When we go back to Whitehorse, we will say all the people in Pelly Crossing were at the meeting. In Whitehorse, we had five or six people at the meeting. I want to welcome everyone and tell you how pleased we are that you all took the extra time to stay and participate in this meeting.

Ms. Hayden: The other thing I should check out is how

much time we have.

Ms. Blondin: We will see how interested people are.

Ms. Hayden: Okay, you can give me some kind of feedback.

The first kind of question that we ask people is, do you have opinions about how the whole of the Yukon goes in relation to the rest of Canada? Should the government be pushing to become a province like any of the other provinces, or should we stay just as we are, or should we be looking for something in between? We do not quite know what that something in between is.

Mr. Schell: I would like to ask some questions. Why would we want to become a province? What would happen to us? What would we lose? What would we gain?

Ms. Hayden: I do not have all the answers to that. Just to give you a quick summary, the way we are now, we negotiate funding through a funding formula. We negotiate how much money we get from Ottawa, and we sign an agreement. Provinces work on an equalization payment. For example, Newfoundland gets 43 percent of their money from the federal government. We get 60 percent or more of our funding from the federal government.

I have to answer your question with a question. The question is, are there enough resources in the territory, and enough people, and enough of a tax base, to be a province, or are we better off staying with the funding formula that we have, or should we try to negotiate a funding formula?

We are not here to push provincehood. We are just testing the water a little bit to see what people think and feel.

Mr. Schell: Of this 60-some percent that we get, as opposed to 40-some percent an eastern province gets, what do you mean by the funding that we get? The money that we put into the country, and then you get 60 percent of that back?

Ms. Hayden: No. Say we have a \$100 budget. Sixty plus of those dollars come from the federal government. It varies. If we were a province, it is hard to say how much would come. We could end up being a poor province. On the other hand, some people believe that there are lots of minerals and things here and we might be a rich province, but it is that proportion of our budget that comes directly from the federal government.

Mr. Schell: Ultimately, who would or could decide if we become a province?

Ms. Hayden: Right now, the federal government and seven provinces that have at least 50 percent of the population. It is called the "7 and 50" formula. It would be the federal government and those seven provinces that decide. If Meech Lake had gone ahead, it would have had to have been all 10 provinces, but it did not.

Mrs. Firth: To answer your question about what we do not have compared to what the provinces have, right now, as a territory, we do not have control of our natural resources. The territorial government does not have control of all the land, or the rights to that land, such as the Indian people are looking for in their land claim settlement. We, as Yukoners, do not have those controls, whereas provinces do. Some of them may have an arrangement with the federal government so they have full control and get all the revenues, or not.

As well, we do not have control over our health services yet, and some judicial matters. We do not have an attorney

general's office. We do not have our own constitution here in the Yukon that says our Cabinet is protected and cannot be dismissed by the Minister of Indian Affairs; our Premier calls himself Premier, but we are not recognized as him being a full Premier, because we are not a province.

Those are the kinds of things we do not have that other provinces do. Whether we could be self-sufficient or not, if we had control of all those lands and moneys, whether we could generate enough revenue to support ourselves, or whether we would continually be dependent on the federal government to give us money is a question that has to be examined. People are asking us about that, whether we would be able to support ourselves.

Mr. Williams: As a native person, we are always constantly negotiating. If you become a province, are your powers broadened, and would someone ultimately be able to make a decision, or would it still be in a position where you are still passing the buck on to your Premier or to the Department of Indian Affairs, or whatever?

I find right now that the system is so overwhelmed that we do not know who we are dealing with. In a provincial structure, would there be more control, or would it be as is?

Ms. Hayden: There would certainly be some more control, because the territorial government would not be responsible to the Department of Indian and Northern Affairs, like it is now although, in the provinces, there is still land claims and, as I understand it, they are still with the federal government. We would have responsibility for our northern affairs, but the federal government would still have the responsibility for Indian people.

Mrs. Firth: On the question of control, the control would be here at the local government level, as opposed to Ottawa. For instance, for health services, you would not have to be dependent on the federal government closing down a health facility or hiring more staff or building a nursing station or something. It would all be at the local level, at the YTG level.

Ms. Hayden: The other side of that, and it is not cut and dried, is that we are slowly negotiating all that authority as it is. We are negotiating the health transfer now. So, what would be the next one we should go after? I do not know, perhaps land and resources.

Mr. Williams: To me, the problem that is inherent in that system is one, you have no constitution, therefore you have no sense of direction. You do not even know where you are going, because the people you are serving, it is whomever is in power is the one who directs and guides those people.

That is contrary to the native lifestyle. What happens is what is happening here in Pelly is a great concern to people in Pelly, but it does not affect Whitehorse, but Whitehorse has the numbers and, ultimately, has the power.

To have a constitution that recognizes not on a ... we get caught in a numbers game. We do not have the numbers of native people. Right now, the way the act is going to be read under the child ..., there was a stipulation there that there was going to be 1,000 per. How many communities? This community does not have a dozen people. We can bring everybody in from the next community, and we still would not be able to qualify for those services.

Ms. Hayden: That has to do with funding-sharing by

Ottawa, and that would not change with provincehood. It is part of the federal requirement for cost-sharing, a 50-50 per cent sharing of costs of those kinds of programs.

I agree that it is really unrealistic.

Mr. Williams: The question for me is, under which process would my voice be heard? I do not know whether I would have a stronger voice in a provincial process or in a territorial process. If all we are doing is changing names from being a territory to a province, and there is no difference in the quality of services in my lifestyle, then what effect is it going to have?

I would like to know what the ultimate effects are. What are the benefits for myself here in Pelly to be a province?

Ms. Hayden: Bea, you have talked about provincehood.

Mrs. Firth: The thing is that you only have as much control as you can lobby at the political level. If we have provincial status here, compared to territorial status, your control or lobbying powers, politically, probably would not change a lot, because you have the ability to go into the territorial government and ask for their assistance. You would have that ability provincially.

Where the problem comes is how much power the government you are lobbying has, and how much control they have. If it was a province, and they had control over the lands, your position may be stronger. It may not, depending on the political environment of the day. It is difficult to say whether you would have more control or power as an individual or the whole Pelly band between province or territory. What it does is it gives us, as a whole territory, more control over our own destiny. If you have provincial status, you have control over your own resources.

The government is now negotiating, and we are going through this devolution process so that more responsibilities are turned over to the territorial government. Every time more responsibilities are turned over to the territorial government, then they make the decisions about how things are going to develop in the territory, and you have an ability to influence those decisions.

You can drive right to Whitehorse, or you can sit here and say, you come here, I have to talk to you, and they can come and talk to you. Not only do they have the ability to come here and talk to you, but if they have the control, then that control can be passed on to you. I think that is about the best way to describe it.

I think your concern is the numbers game where Whitehorse makes all the decision because they have the numbers. You do not have the numbers here in the communities. Is that the concern?

Mr. Williams: Let us use an example. Let us say we want to improve the roads between here and Whitehorse. There are a lot of hazards involved in this. Number one, when you have vehicles and heavy use by the mining industry, where they have their vehicles, those roads are very hazardous. The thing that invariably happens is that they get brushed aside, because not very many people are voicing that, yet it affects this whole field. Then, they say, just because we sacrifice one small community for the betterment of the majority. I am saying, is that a better process? To me, no.

Ms. Hayden: Probably not. It is probably not different in

terms of provincehood or a territory. A territory already has the responsibility for this.

Mr. Williams: Then, to me as a member of the community, it would be far more beneficial working within a system where I know I can get something done to where I can sit here and say, I know who to go to.

Mrs. Firth: That would be to look at the positive and negative columns of provincial status. You could put that on the positive side.

Another example I can give you is the airports. If there was an airport that people had concerns about, you did not know whether you have to go to the federal government or YTG, now all that is controlled by YTG. So, you know who to go to to get something done. It would be the same circumstance with the highways or roads. You can go to the territorial government as an individual to make your case.

Mr. Williams: Like I say, the numbers game always comes down. The mining industry has the bucks. They can do the lobbying; they can do all this. Is there much difference? To me, the ultimate question is, what is really the difference between provincial and territorial?

Ms. Hayden: Regardless of whether you are a province or a territory, some of the acts and legislation is federal, unless it changes, even with the provinces. You are quite right. You have very small numbers, and it is the same for your community in relation to Whitehorse as it is for the Yukon in relation to the rest of Canada. We do not have large numbers, and it is very hard to make ourselves heard and to get the things that are important for the territory. I understand what you are saying; I do not know the solution.

Ms. Boudrau: After having lived in two different types of government, one being provincial and currently territorial, it is my concern that, ultimately, I do not think we have a lot of control over the decision-making process, regardless of whether it is a province, a territory or the federal government. Decisions are being made that affect all our lives that people, whether we are First Nations people or non-First Nations people, that negatively affect our lives.

I think we are fooling ourselves to think that we have a great deal of effect or impact on any of that decision-making process. The only time we might have that opportunity is at the time when we are voting a new government in. Otherwise, we leave that decision up to the government, whomever it may be. Time and time again, we see examples of where those decisions are not sound judgment. They are as long as that wall, even in the last 12 months.

So, I have concerns with this whole constitutional exercise. As a person in Canada, I do not feel that I have a voice as to what is going to happen. Somebody else is going to make that decision, and that has been the process. I think the First Nations people have seen this traditionally over the years, and they are not prepared to deal with it any longer, and that is the whole issue of land claims.

Ms. Hayden: That is the issue of empowerment of people, of communities.

Ms. Boudrau: In Nova Scotia, where I came from, it is an old boy system. If you are not on the right side of the fence, or whatever, you cannot get appointed, you are not heard. If you register your concern, then you are ostracized in the

community. That is the way it is.

Ms. Hayden: I certainly hope it does not work like that here.

Mrs. Firth: That is a frustration a lot of the public is expressing. The Spicer Commission found that out, when they were going around talking to Canadians all around the country. They are expressing that same kind of frustration.

Mr. Boudrau: How come we are asked our opinion on something that we have no control over because of the numbers game? They did not ask us the question, or send a committee around, on the question of whether we think the GST is viable or not, something that directly affects the private person? We were not asked our opinion on that.

On something that we have no say over, then we are asked our opinion. I have a problem with that.

Ms. Hayden: I can hear what you are saying. The GST is federal, and I do not have any control over that, either, nor do any of us.

I can only say, in terms of this committee, again, is what I have said before. We are talking about long range planning on where the territory should go some day. I do not know, but perhaps we do not do enough of that long range planning. I know the claims process is doing that. Perhaps as government we have not always done that, just looked from election to election. I think this process is part of that, and it does not seem like anything that is very important, but it might be very important 50 or 75 years from now to our grandchildren, to be able to be a part of Canada, or something else. Perhaps circum-polar ties are important to people, and that is one of the questions we have. Is it important to have ties with other northern parts of the world?

Ms. Blondin: As you know, I am not from the Yukon, but I am from the Northwest Territories. In the Northwest Territories, we look at the health system they have transferred to the territorial government. The old people always believe that, when we are looking at treaty rights, the treaty is the number one priority in our life, but everybody seems to be stepping off that boundary of our treaties.

So, we now look at land claims to implement the treaty rights as a strong thing in our land claims. One of the problems we are seeing is that we did take the health transfer into the territorial government. It did not get better; it got worse, because people were not trained. If the community nurses did not like the way the territorial contract worked, they were not accepting it. There were not enough training dollars to train our people to get into these medical fields.

So, when we look at our health transfer today, we are changing that, because we are going into regional type of land claims now. We are saying we want to take control of all treaty rights. That means the health transfer and everything. We want to take control of it so we, as people, can be strong and be able to look after these things ourselves. That is the only way the people can meet their own needs.

No matter how much you talk about constitution, no matter if you talk about any of those things, even the territorial governments, the number that is involved in this constitution, the treaty people will never be able to benefit as long as other people take control of their lives.

Even if you decide not to go under a territorial government

any longer and go into provincehood, even if you still stay as a territorial government, look at B.C. They are going to come up here and take over the Yukon. There are 10 people across the province who have control of Canada. Those are the people who give the Prime Minister the decisions of what is happening in Canada. That is wrong. We have lived with this for long enough.

This is why we are working so hard to build ourself, to be able to look at these things that are important to us. I would ask you how long would it be before this is implemented into the constitution? How long of a time do we have as a community to sit down as a group to work on our own constitution? Would people look at that? Would the territorial government look at that and say, yes, if it is what the people want, can we work with it? Could the people have that for themselves, in their own communities?

I really feel strongly that that is the way it should go. This is why the Meech Lake did not work, because there was nothing that had to do with self-government for the people. We really believe that is how we lived all our lives before anyone came into our life. We self-governed ourselves so well that we kept everything clean. We did not look at dollar signs, like you do. We looked at the wealth of what we have. This is what we are afraid of. To me, if we had another year, we could work with this really well. We could look at our land claims and work with it really well, so it would be strong, so that our people, in the future, will be able to control their own lives. All the treaty things that are out there and belong to the people should go to the people, and there should be control by the people.

It is very important to us. We want to be able to feel healthy, to feel good, so our wellness would be the first priority, not the dollar sign, not to be able to control people. No. To be able to control our own lives. *[Applause]*

Mr. Joe: Yukon become a province? I doubt very much. That Yukon is ready to become a province yet. I do not think we are ready for it. Right now, we have people who are working together with the territorial government and the federal government. Maybe if they start working well together ... our land claim with the Government of the Yukon and the federal government. I think things are going pretty good so far. That is why I do not believe the Yukon should become a province.

I would like to hear more from the people, to be recognized ... constitutional change. ... native people in the past ... your culture or your ... or things like that. Now, today, we are working on a ... that says ... constitution and that those kinds of things should be recognized. I think my chief has more to say to this.

Mr. Van Bibber: We talked self-government. Bertha hit on it. Through this constitutional development, it has to come from the people, and the people are community: number crunching.

We have to have the time, we have to have the resources. You come through with this constitution paper you gave us. I do not know. Bureaucrats obviously made it up, whether it is YTG or whomever. We do not get a chance for input into that. We want the chance. We want to have the chance to develop our own constitution here and institute it into whatever your

bureaucrats are doing for you, but we have to take a priority, whether it be language or whatever it is going to be. We have to have priority. We have to have the time. We are negotiating land claims right now. This thing is coming a bit fast for us. You are transferring health over. We are trying to keep up. Again, Bertha hit on it with the problem they had in the Territories. They had major problems over there.

You guys are going to have it here if you do not come down to the community, give it time, work these things through. As far as government, we have to have some sort of representation. We have now in your Legislature and in the government, and some sort of guaranteed representation, is our feeling. We want, in the Yukon, a native language to be our second language, not French. I could go on and on about what can be done and what has to be done.

This is coming from the First Nation, and it has to be done at the community. I realize that you are a non-First Nation person. Whether you live in Mayo or Dawson, it has to come from the community. The day of the bureaucrats making decisions for us is over. We do not want to see that any more.

We would like to work with bureaucrats. We would like to work with you guys, as politicians. We do not have a problem with that. We have a problem when you guys run out ahead of us. That is one area I would like to touch on.

If we do go to provincehood, there are 30,000 people in the Yukon. We have no tax base. It is too obvious. You are looking at a difference of, I heard, 43 to 60 million difference, province as territory. That is a lot of money for 30,000 people. We are not ready for it. There is no way.

I think we are too small for party politics. A lot of the bands know the bitterness that elected representatives can have. We are talking about going back to traditional type governments now. A couple of First Nations have already done it, and we are probably looking at it through our constitution, but I say, you guys have to give us the time. This green paper is way too early. It is too far ahead for the people up here. I think it is too far ahead for you guys, too. *[Applause]*

Ms. Hayden: Thank you. I think we hear you very clearly, and we have heard it in other places, that this is much too soon, go carefully, be very careful, give us time, we would like to keep the good things that we have and build on them. Those are the kinds of things we are hearing. You are just saying it more eloquently.

Mr. Van Bibber: You have devolution coming down now, and devolution is a form of self-government. We want to see devolution here at the community level and take that control away from the Whitehorse area.

Mrs. Firth: I think the message we are getting from Pelly is stronger than the message we have received from any of the other communities. Other communities have been saying they want land claims settled first, then look at provincial status. We do not want to rule out our options of having provincial status but, if I hear the concerns correctly here, and tell me if I am not, you think it is too early to even be discussing this, that there are more important things, like community involvement, and your situations that you would rather be discussing, before we even begin discussing this. Am I hearing that correctly?

Mr. Van Bibber: Yes.

Mrs. Firth: That is a different message, and we would like to take that message back to the Legislature and tell them that this community has a different message than all the others.

Mr. Van Bibber: It is a case of bureaucrats not controlling us any longer.

Ms. Alfred: I, too, am against turning into a province for the Yukon. For myself, I find it difficult because I see government taking control in so many areas, and we are tired of it. It is about time we have our say. We want to do what the Pelly people want. We do not want any government running around telling us what to do. It is about time we take full control over our community. We do not like people doing things behind our back and pushing it ahead without even telling us.

Look at this taxation that has been going on and is happening now. Look at where it is affecting us. Look at how it is affecting us. In the past, it has been hurting us, but what can we do? It is already done. These things are happening, and we are tired of being pushed around by the government. We want to wait and see what is going on first with the constitution.

Are we going to be in the media?

Ms. Hayden: No, this is just for us.

Mrs. Firth: They would like to just clarify that, because they are very uncomfortable with all this.

Ms. Hayden: That is the way it has to be.

Mrs. Firth: Joyce and I were chosen by all the Members of the Legislature to come and do this. In order that we give an accurate report when we go back, for example, we do not want people saying, people of Pelly did not say that to you, we want to be able to say yes, they did say that to us, and this is how these people feel. We want to have it recorded so that, when we give our report, the information in the report is accurate and reflects the voice that you just raised. None of this is going to be given to the media. The only thing that will be made public is the final report that Joyce, myself, and our two Clerks help us write up, and Joyce and I will table that in the Legislature. Joyce will, as the chair person of the committee.

Then, all the Members of the Legislature will read it. The media will have copies of it, and copies will be sent to you in Pelly.

Ms. Hayden: What you are saying will be typed up.

Ms. Alfred: I want to know who wrote this up.

Ms. Hayden: This was prepared by the government.

Mrs. Firth: It was by the present territorial government.

Ms. Alfred: Did you get any input from communities?

Ms. Hayden: I expect they did, but we will ask that question and make that point.

Mr. Van Bibber: ... should we have the constitution and provincehood and all that. I think it conflicts with our constitution on our traditional lands, and which one would be the higher?

Ms. Hayden: As I understand, and you are more expert at it than I am, you are making your constitution, your agreement with the federal government, and that is first.

My guess, from what we have heard, and you have said it very clearly, our report will say, and the government will certainly listen, that people do not want to take it any further right now. So, nothing more will happen on this, I would guess, at the present time. That would be my feeling, although our

job is only to take it back to the Legislature. We are all part of that process. Things have to fit together.

I am sure this will not go much further. We have heard that clearly, and much more clearly today, that it is too soon.

Ms. Boudrau: A fine example of the things that are being discussed here is the scheduling of this hearing in the first place. I do not think a community like Whitehorse should dictate right across the board the scheduling in the territory. I do not know of anybody who was contacted here as to whether this was going to be appropriate today. ... something else for a community that is very actively involved in it.

Ms. Hayden: The calls were made in December about the initial arrangements. I feel badly that we are conflicting with what you have going. I know the specific person who was called here, and we juggled our schedule several times to fit with communities. So, no, it was not set hard and fast. We understood it was at the community's convenience that we were coming, and we do feel some concern that we are conflicting, but we did ask.

Mr. Harper: I am a bit concerned about the comment you just made that we will not take this any further. I do not think that is the message you are getting at all. It is certainly not the message I have heard.

In my mind, this really raises questions. One is the question of what should the relationship of all Yukoners be with Ottawa and the other provinces? The answer that is proposed is provincehood, which is a model that was developed 130 years ago, not by anyone who lived in the Yukon.

The other question is the relationship between Yukon people. That is another part of the constitution. Constitutions are about the relationships between people. My message to you is that I agree with what Pat and Bertha had to say. Marching into a model 130 years old, as your first priority, seems to me to be inappropriate. The real place to make the work happen is the relationship inside Yukon. That is where the land claim settlement negotiations come in. I think your paper incorrectly suggests that self-government arrangements are not part of the constitutional fabric of the Yukon. They are very much. There is federal power moving every day, whether it is under self-government negotiations, or under negotiations with Piers McDonald or whomever is representing Yukon. The power is moving every day.

My concern, and I think the message you are getting from Pelly, is that it move in a way and on a timetable that belongs to the Yukon, where the groundwork is already laid amongst the Yukon people of how it will be handled. If you move to provincehood tomorrow, then everything moves to Whitehorse, and we are no farther ahead in development. In fact, we may be worse off.

I would rather lay the groundwork. So, it is not, maybe we should go no further. Maybe you should start asking the right questions. This phase of your investigation is going to tell you that provincehood is no longer

What really has to be done is to chart the right course in the Yukon, as far as the relationships between people is concerned. Pat mentioned some points about guaranteed representation, native languages being the second language of the Yukon. Those are important points for the Yukon. This is going to be us and how we want to do it.

On the question of the relationship with the feds and the Yukon, it should be a ... relationship. Lastly, I think you have to be open to the question of, if there is constitutional development in the Yukon, to real powers being vested in the First Nations. Right now, in terms of claim negotiations, and in discussion with Ottawa, everything moves to Whitehorse, and then Whitehorse will run the Yukon. That is not where I would like to get to. I would rather see the First Nations and the small communities on a par with Whitehorse. I think we have to restructure politically in the Yukon to make sure that happens. *[Applause]*

Ms. Hayden: Thank you. I will say just one thing in terms of the self-government not being included. It is certainly a very important part. It was at the request of CYI that it was not in there. There was an agreement made with the Council for Yukon Indians, probably because Bea and I have neither the knowledge nor the authority to talk about it, and that was why it was excluded. More because of the importance of it, rather than not recognizing it.

Mr. Schell: Is there a deadline? Is that why you are here? Is this supposed to be some kind of criteria?

Ms. Hayden: In terms of what?

Mr. Schell: Any discussions that have been taking place.

Mrs. Firth: There is no deadline. Almost a year ago, the government of the day raised a point in the Legislature to discuss constitutional development. Tony Penikett, as the leader, brought a point into the Legislature, saying he was going to have some people draw up a paper to generate some discussion, and they wanted to pick a Member from the Legislature from each party — Joyce represents one political party, and I represent another. The two Members were to travel all around the territory and hear what Yukoners had to say about the eventual provincial status, constitutional development, and what concerns and opinions they had about that whole issue.

So, Joyce and I were told we had to report back to the Legislature by this spring, when we go back into the House in April. We did not go earlier. We chose to leave it later, until just before we were going into session, to go around and visit Yukon people. There was no specific plan, or it was not done for any specific reason. It was just that we were given a mandate by the other Members of the Legislature, so we had to do our homework.

That is why we are travelling around now. We wanted to get finished by the end of March. Our last meeting is April 2 in Old Crow. Then, we will have enough time to write up the report, and Joyce will bring it back to the Legislature. We will say, this is what we heard. We are not to express our opinions or say what we feel, or what we think should happen. This is what the people told us and this is what we heard. Now, it is yours to do with what you want.

Ms. Hayden: Along with this, you are asking, is there a deadline when the government must make some decision, no. That is why I am talking about this in terms of long range planning. How are Yukon people thinking? What you are saying to me is pretty clear, and we will report that back.

Does that answer your question?

Mr. Schell: Yes.

Ms. Baumgartner: I am trying to get an historical back-

ground on this. Is this the first time this question has been initiated? If it has been initiated, and it was shelved before, the committee or whatever said no, I would like to get a report on why it came down in prior time? Also, have there been any reports done other than your own? I would like to know who brought it up this time. Obviously, First Nations people did not. Who brought it up, and what is their vested interest? Are you just spending money to employ people?

I would like to know what their reasons are for wanting us to become a province.

Ms. Hayden: People are not saying that. This paper does not say that anyone wants us to become a province.

Ms. Baumgartner: No, but somebody brought it up.

Ms. Hayden: The government did. The paper is a checking out of where people are at now.

Ms. Baumgartner: The government is responsible to their constituent. Which constituent brought it up and said to have it brought up. Do you have any idea?

Mrs. Firth: You cannot necessarily draw that conclusion. The government might have just thought of it. Sometimes politicians bring ideas into the Legislature without someone going and saying, I think you should do this.

Just to verify something, though, this issue has been going on for a long time. It has been discussed before. There has never been a paper done on it. I understand there was another committee that was going to, and may have done some time ago, but they never did proceed with it.

Yukoners were talking about provincial status, I am sure, far longer than I have been a Yukoner.

Ms. Hayden: White Yukoners have.

Mrs. Firth: The last 25 years I have lived here, I have heard the pros and cons of provincial status talked about in the public, but this is the first time that we have gone out as Members of the Legislature to ask people's opinions about it and report back to the Legislature.

The message that could be brought back is that people do not even want to discuss this. That is the message.

Ms. Hayden: I want to check out if people feel reasonably satisfied that you have been heard. I am aware that we are taking a lot of your time from something that is probably much more important to you than this. I would be happy to wrap this up now, if people feel okay with that.

Ms. Blondin: I think they have put their points across.

Ms. Hayden: Thank you very much.

Mrs. Firth: I would like to say one thing to address the lady's concern about the media. Joyce quite often gets phoned by the press after we meet in a community. She will be called by CBC, perhaps, and asked how the meeting went in Pelly and in Carmacks and Dawson, and so on. What could be coming out in the media you may hear on the radio tomorrow morning, or maybe in the paper, that the committee was in Pelly and this was the message that was given, and we will give a very short summary of what the concerns were. That is all you will hear.

Mr. Van Bibber: CBC called me already this morning.

Ms. Hayden: I am sure they did. I would rather you told them than us.

Mrs. Firth: If you deal with it, then there is no cross story and no sensation. We just had our meeting.

Mr. Van Bibber: I never talk to the media.

Ms. Hayden: Thank you for having us, and thank you for telling us how you feel. We appreciate that.

Mr. Joe: I want to thank you for your time. Thank you, Joyce and Bea.

Ms. Hayden: Mahsi cho.

Adjourned at 3:45 p.m.

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Dukon Legislative Assembly
27th Legislature

**Select Committee on
Constitutional Development**
PROCEEDINGS

Heritage Hall, Carmacks
Thursday, March 7, 1991 — 7:30 p.m.



PRINTED ON RECYCLED PAPER

SELECT COMMITTEE ON CONSTITUTIONAL DEVELOPMENT

The Select Committee on Constitutional Development was created by the following motion of the Yukon Legislative Assembly on May 14, 1990:

THAT a Select Committee on Constitutional Development be established;
THAT the Committee be comprised of two Members of the Legislative Assembly, one to be appointed by the Premier and one to be appointed by the Leader of the Official Opposition;
THAT the Green Paper on Constitutional Development be referred to the Committee;
THAT the Committee receive the views and opinions of Yukon citizens on the Green Paper, and present a record and interpretation of such views and opinions to this Assembly;
THAT the Committee hold public hearings on the Green Paper in Whitehorse and at least one community in each of the electoral districts outside Whitehorse;
THAT the Committee invite oral and written representations on the Green Paper from residents of the Yukon and, where appropriate, from individuals and groups outside the Yukon;
THAT the Committee report to the Legislative Assembly no later than the 1991 Spring sitting of the 27th Legislature; and
THAT the Clerk of the Legislative Assembly be responsible for providing the necessary support services to the Committee.

MEMBERS OF THE SELECT COMMITTEE

Hon. Joyce Hayden, M.L.A., Whitehorse South Centre
Bea Firth, M.L.A., Whitehorse Riverdale South

STAFF

Patrick Michael, Clerk of the Assembly
Missy Follwell, Clerk Assistant

PARTICIPANTS

at the Carmacks Meeting of March 7, 1991

Fairclough, Eric (Chief)	O'Brien, Lorraine
Joe, Danny (MLA)	Roberts, Ken
MacDonald, Jo-Anne	Skookum, Happy
Marino, Dawn	Smith, Vance Conrad
Marino, Don	Tracey, Howard
O'Brien, Joseph	

CARMACKS, YUKON

March 7, 1991 — 7:30 p.m.

Ms. Hayden: Thank you for coming. I am Joyce Hayden. With me is Bea Firth. We are both Members of the Yukon Legislative Assembly, as is your MLA, Danny Joe. We were appointed last year by the Assembly to travel around the territory with this green paper to ask people what their opinions are about the questions in the green paper, some of which have to do with the territorial status, where we are at now, whether we should be looking at something different, how we look at circumpolar issues, and some of those kinds of things. With us is the Clerk and Assistant Clerk from the Legislature, Patrick Michael and Missy Follwell. They will be recording so that the report can be written. Everything is recorded.

A report will be presented to the Legislature in the spring sitting. We are required to do that. From the taped and transcribed meetings will come that report. All we are to do is to listen, hear your opinions and report back what your opinions are. It is not our job to make recommendations or to give direction in any form.

I spoke about recording. I do not think there are any more logistics. Do you have people's names, Missy, so you are clear in terms of report writing?

If any of you came with a written report, that would be great. If not, we will simply go into discussion. If you have had a chance to look at the report at all, or to think about any of the issues around the status of the territory now, whether we should be looking at pushing closer to provincehood, or whether we should be going slower, or any of those kinds of issues, we would really like to hear about them.

Bea, do you have anything you want to add?

Mrs. Firth: Just to add that our function here is just to be the messenger to the Legislative Assembly as to what people's opinions are with respect to this green paper on constitutional development. It is not Joyce's and my responsibility to promote or speak out against provincial status, or to comment about what our feelings are with respect to provincial status. We are not here promoting it or not promoting it. We are just simply serving a function of asking people's opinions as to what they think about provincial status.

Ms. Hayden: So I would just leave it open and invite your comments.

Don, you were interested after you read the paper. What did you think?

Mr. Marino: This is something I had not given a great deal of thought to. Assumptions I had made said that, when we were ready, it will not be a major hurdle to become a province. Then, with the publicity of Meech Lake and some other information, such as has shown up in the information I have here, it is not nearly as cut and dried as I had thought. I have a serious concern that we have to negotiate with people, in this case, provinces, other than the federal government. I see no reason, personally, that we should have to negotiate and potentially become a bargaining chip for some controversy between two provinces, or a province and a federal government, possibly to our own detriment. That is something that

particularly bothers me.

It is my opinion that, the sooner we are able to become a functional province, the better off we will be. I do not have a set of criteria for myself that I can say, when we reach this stage, I think we should become a province. I do not know enough about it. I do not know if anyone has done studies on what our potential production of revenue is, and that does scare me.

Obviously, we spend a lot of time with our hand out to the federal government, and it seems like, if you want to wear a different suit of clothes, you have to be able to pay the drycleaning bill, and I am not sure what stage we are at there. If there is something in between, I would be interested to know, but it is not something I have researched or seen anything on.

What it boils down to is that I would like to be able to be a province, in the sense that I would like to be able to be as independent as many of the provinces are. On the other hand, I would like to be able to do it without having to negotiate with other provinces and other people, other than the federal government.

Ms. Hayden: You would like to see the door left open, and you obviously have some concern about the formula. The formula now is called the "7 and 50" formula: seven provinces that have 50 percent of the population of Canada must agree before another province can be added. Had the Meech Lake Accord passed, it would have said that all 10 provinces and the federal government must agree.

Mr. Marino: I see no reason for either set of conditions.

Ms. Hayden: It was not the case when other provinces joined.

Mr. Marino: No one else has gone through that. There were basically no requirements, other than to petition and put forward a strong case.

Mrs. Firth: That has been written into the new constitution. The "7 and 50" formula is in Canada's constitution.

Mr. Marino: Obviously, it is there. I just happen to dislike it.

Mrs. Firth: I think all Yukoners do. We had debates in the Legislature about it, and the issue was raised when the constitution was being presented.

Mr. Marino: I do not see why anyone could legitimately object to the Yukon becoming a province. After all, we already have a Premier. I guess that can be interpreted any way that you like. I did not hear a great hue and cry when the use of that name started. There were not people in Nova Scotia and Quebec saying, what is going on here?

It is not that I expect someone to object, but when the power is available, I think it could be used to our detriment. I hope we never become reduced to playing games like Quebec, who is saying, buy us. I have had people say that their interpretation of what Quebec is saying is, buy us off or we leave. I think it is unfortunate when anything comes to that state of affairs. I certainly hope that sort of thing does not happen here. If we are not given any control over our own destiny, I am concerned it could be the type of thing that we start to hear: negotiate with somebody else, negotiate with one government rather than six or seven.

Ms. Hayden: One of the obvious problems with thinking about any kind of constitutional development is dollars, fund-

ing. At the present time, we receive somewhere between 60 percent and 80 percent of our money from the federal government. That is negotiated under a formula financing agreement that some say could be continued if we were to look down the road. I have no idea about that. That is very tenuous to think that.

We receive much more per capita money than do any of the provinces.

Ms. Marino: Does it vary between provinces?

Ms. Hayden: Yes, it does. There is an equalization payment, and Newfoundland would receive the most, something like 43 percent of their income. It comes from the federal government.

Equalization payments are based on per capita income. So, if you have a low per capita income, you get more. If you have a lot of people who have earned very little, you would get quite a lot but, if you have a few people who earn a lot, you would not get very much. Going on equalization payments would obviously make us a very poor province.

Ms. Marino: Is there anything else that it is based on? Are there any other monies?

Ms. Hayden: Now, we negotiate funding every year. It is called formula financing.

Ms. Marino: I am thinking in terms of the other provinces. Is their federal money all per capita averaging?

Ms. Hayden: It is complicated, because there are shared monies for various things. I think, for many of the programs, we get the same kind of monies as they do. For example, we get 50-50 money for some of our health programs and our social service programs, for example, child welfare.

Ms. Marino: So, basically, there is a kind of blanket formula for all of those.

Mrs. Firth: It is established program funding. It is for education and social services for all the provinces.

Ms. Hayden: The feds are trying to cut out that funding. That is part of what they are doing with the latest budget, trying to cap health care to the provinces and give more authority to the provinces, so they will have to raise the money via their own income tax and whatever other kinds of taxes.

Ms. Marino: Would it be safe to assume that, if the Yukon was looking at provincehood, we would have to undergo the same formulation as the rest of the provinces, as far as federal monies are concerned?

Ms. Hayden: It is entirely possible.

Ms. Marino: There would be very little chance of negotiation for different things.

Mrs. Firth: I have that information from a presentation that Steve Smyth made in Whitehorse. I think he is advocating that we would negotiate some kind of special arrangement with the federal government for the funding and recommends that we not look at provincial status before we have negotiated the funding. I think that is the kind of information that the government here would have to get and give to people, so they could decide whether they thought moving toward provincial status was the right move to make, and whether it was the right time, like Don said.

Ms. Marino: There is no other province, at this point, that is working on a special provision that you know of?

Ms. Hayden: No.

Mrs. Firth: The Northwest Territories.

Ms. Hayden: But no provinces, they are all on equalization payments. That is where Ontario, B.C. and Alberta pay more money in so that it can be paid out to the poorer provinces.

Mr. Smith: I will be speaking on a very limited knowledge of the Yukon situation, since I am a recent immigrant from Newfoundland since April 26 of last year. I plan, if possible, to make the Yukon my permanent home. I have been studying the situation a bit, and trying to understand all viewpoints but, right now, I see so much uncertainty regarding the constitutional development of this country, Quebec and the negotiations with the First Nations.

At this moment, I would lean toward continued territorial status, at least for the next five years, so there would be more clout and authority regarding the umbrella final agreement that is being negotiated and set to be into practice, plus the other uncertainties as to the Quebec question and, in the next five years or so, as to what will Canada's complete constitution be.

I would certainly keep open the provincehood question very strongly to see how things develop nation wide, and how things get settled here, as far as the bands' agreement and the economy, and other structures in place. We can better understand what provincehood would mean, what type of country we would be joining, and from a stronger viewpoint. The progress the government has made as a territory could be jeopardized and endangered by becoming a province too soon, with all uncertainties.

I would even have a territorial-wide public referendum as to considering provincehood before we make application to Ottawa, to see if the majority of the people of the Yukon desire, five years from now, to be a province, or to negotiate a different term with the rest of Canada that would be beneficial to all people living in the Yukon.

Of course, there might be other political and social developments that come into play. Right now, I think we should keep the option open to get our own interior structure and society together as a people of the Yukon, then negotiate and consider joining the rest of Canada as a province.

I strongly believe our preference would be toward becoming a province, if all other factors were favourable.

Mr. Tracey: My opinion about becoming a province is that we should have the right. We should not be restricted by the 1982 change in the constitution of Canada. We should attempt to negotiate during the constitutional debates that are now going on. We should make the point very clear and as strong as we can possibly make it that we should have the right to negotiate with the federal government on a one-to-one basis, the same as every other province did before they joined.

I do not believe we are ready to become a province because, until we become more responsible with our own money, rather than holding our hand out to the federal government every time we turn around, we do not deserve to become a province, in my opinion. We have to learn to be responsible, and we have a responsible government here, to a great extent. In a lot of cases, we have as much power as any province.

If we want to become a province, we should try to manage our money. That is the one thing that is always going to be stuck at us. If you are going to be getting in excess of 70

percent, as we are right now, in transfer payments from the federal government, how can we ever justify going to the provinces and saying we should become a province.

That is number one in my opinion: we have to learn how to manage our money. We have to quit bringing in new programs constantly that cost money, even though the federal government will fund it on a 90-10 basis. That 10 percent is still 10 percent that we cannot come up with. It is given to us, as well, so we end up with 100 percent financing.

I believe when we do become a province, we should become equal and the same as every other province in Canada. If we become something distinct and separate and different, there is always going to be some province somewhere down the road where we do not get as much, or we get too much, and the other provinces are going to be complaining, or we do not get enough, and we are going to be complaining. In my opinion, everybody should be equal, and all provinces should be equal in Canada.

I have heard a number of people speaking of, should we have a different kind of provincehood. In my opinion, no, we should be exactly equal to every other province in Canada, when we do become a province.

Ten years ago, I would have thought that, 10 years down the road, we would be ready for provincehood. Ten years later, I can still see that we are at least 10 or 20 years away from becoming a province. I have talked to a lot of people about it. A lot of people prefer to remain a territory, and the reason they prefer to remain a territory is because of the money that comes from the federal government. In my opinion, as long as we have a majority of people who think like that, we are not going to become a province.

We are also attempting to get a lot of transfers and responsibility from the federal government. That is great in one respect but, in another, it is not. What happens is that what is transferred to us is the management of the programs, but we do not have control of the resources. They want to transfer forestry to us, but what do we have? All we have is the management of the forestry, but we do not control the trees or the habitat. We have nothing to do with it. It is the same with renewable resources. We have control of the renewable resources and have had since 1898, but we do not have control of the habitat.

You have to be very cautious about taking programs over. That is another way we get bought off, because they transfer the programs, and they transfer us a bunch of money, but that money is still coming to us, and it just raises our transfer payments from the federal government.

I think that is all I have to say for now. I would like to hear what some others have to say.

Mr. Fairclough: I never read through this at all, but as far as becoming a province, I really have not thought about it so much. I think it is because I am satisfied with the way it is now, being a territory. Should we become a province, I do not think that the equalization of distributing money would be fair to us. Obviously, we are going to be a poor province and, because we are not as rich, we would not be a rich province. We would not be able to generate the extra money to be able to have even a half-decent lifestyle. What do we have here? Nothing, almost. We would have to tax, and we would be taxing a lot. The

cost of living is going to go up, right there. I do not know how it will affect us, as far as the First Nation goes.

Once we develop our own constitution and our self-government and all that, I am not exactly sure what is going to play there. Right now, I cannot see us going into a province, and it has been like that for years.

Ms. Hayden: Many people have said claims must be settled before even thinking about something like this.

Mr. Fairclough: I think so. I think it should be, because for non-natives, they really do not know exactly what is going to become of it once it has been settled. I think it would be a smart thing to wait.

As far as devolution goes, and the transferring of programs, I know that, as First Nations, they will be handing a lot of the programs over to us, but there are a few things I am concerned with, and some of it is the resources and the amount of money that is going over. They seem to leave out the many years, as far as the money goes. Just to run it, the money is there, but not the many years.

I will probably have something else to say later.

Mr. Joe: ... If the Yukon becomes a province, we should think about how that would affect smaller communities, like Carmacks and Pelly. Who has more say ... more people. You want the Yukon to be a province, I think we need more people than that in the communities. The way it is today, I do not have too much problem with it. I think we are starting to work together, and that is really good: native people and non-natives. They start working together good, along with the government. I have no problems with that. I do not think we are ready to become a province. I have problems with that. I think it is going to take time.

Maybe in five or 10 years, when you, maybe we will be ready for it. I have not too much to say on that.

Mr. Tracey: I would like to comment on the point that Eric raised in regard to not having enough money here. That is an argument that we hear often: we are either too rich or too poor. They do not want to give it to us because we have too many resources here. We have resources in this territory that, if they were developed, we could probably become the richest province in Canada in a very short period of time. I am not concerned about being too poor.

I am more concerned about the other provinces thinking that we are going to be too rich. That has been the way it has been to date. That is the reason why British Columbia wanted to push its borders north. That is the reason why the federal government totally ignored us when it came to the 1982 change in the constitution, and it is the reason why the provinces do not want to think about constitutional development in the territories.

All we need is a couple more mines, and we would be a very rich area, and we have those mines sitting there, waiting to be developed. Some of them are being worked on right now. We have world-class resources now. Rather than being concerned about being too poor, we should be more concerned about the rest of the country thinking we are going to be too rich.

In the meantime, they keep buying us off by handing us money and giving us the trappings of control. We do not really have control. They give us the management, but we do not

have control. Until they start transferring control of the programs, I would be very cautious about taking them.

It is like health care. They want to transfer health care to us, but we have been fighting for 10 years now about whether they are going to put a new hospital in Whitehorse before we do it. They spend \$10 million or \$15 million to put a new hospital in for us. For that, they have bought us off. We take over the management of health care, but we really do not have control over it.

It is the same thing when they transferred fisheries to us. All we have is the management of fisheries, but we do not have the control of the resource. We do not have the control of the *Northern Inland Waters Act*. That still rests with the federal government. What have we really got? We are getting well paid to do the federal government's job. I do not think that is a good thing to be pursuing.

Mr. Van Bibber: I think there is a flip side to what Howard is saying, also. Sure, we are a rich country in resources. There is a flip side to that. How much do we all want it developed? Sure, it has a few mines. I have just come back from Toronto. You do not want to live down there. The lakes are polluted, and what have you. I am just putting my view forward on that one point.

Mr. Tracey: I think it is a good point. There are a lot of Yukoners who like the country the way it is. A lot of them would like to see it turned into a park from one end to the other, but you still have to make a living. As long as the federal government will hand you the money to make a living on it, that is great, but there are other people who have to make their own living. It is a little different story then.

It is great to talk about the pristine wilderness that we have here, but it does not feed you too well, in a lot of cases.

Mr. Smith: You would definitely need to take a census of Yukoners as far as development that could be sustained with a minimum effect on the environment and the quality of lifestyle. I do not believe any Yukoner is against mining or development, but in a manner that will not waste the environment, the natural animals and other systems that come into effect by mining or other industries, ... marry to, marry industry, growth. We have concern for the environment, quality and health of the environment, and our unique position or role as a wilderness, or as clean air and water, the most of the rest of the country does not enjoy. They have the money, but not the life. We have the lifestyle, but not any money. If you can somehow get the best of both worlds together in harmony and cooperation and resources, there can be growth economically with minimal damage to what makes the Yukon the Yukon, as far as the uniqueness and outdoor lifestyle. Most of our tourists come up from the States, from the east, just to escape pollution and the rushed lifestyle of cities and find peace and rest.

It would be difficult to coordinate all together, but if possible you would get economic growth, jobs, growth for people to live independently from the government and society without damaging the caribou herd of the north, threatened by the development in the Arctic National Wildlife Refuge, or other factors, but can live in harmony with nature, with our natural needs for all sectors of life.

Ms. Hayden: We have heard many people say that they wanted to preserve what they see as the unique lifestyle of the

Yukon. They have concern about that. That is part of what you are saying.

Mr. Tracey: A lot of the people who say that, though, have not really thought about it. It is all right to say we should preserve this and preserve the unique lifestyle of the Yukon, but you can look at the lifestyle today and look at the lifestyle as it was 15 years ago, and it is totally different. It will and does change. The same people who are making the change are the people who do not want it to change. Most of us who live up here, and I have lived in the north for over 35 years, live here because we love it. Like I said before, we still have to eat, and it does not matter what we try to do to isolate ourselves from the rest of the world. It is not going to be successful.

It is going to change, whether we want it to change or whether we do not. What we should be trying to do is manage the change, rather than say we do not want it to change.

Mr. O'Brien: I have not had a chance to read over this paper, but what Howard and Pat said earlier about protecting the environment, I want to see the Yukon protected, but what are we going to do? Make it a national park? Before we do become a province, I would like to see ... Look at what happened in B.C. A lot of times, the logging industries always move over in B.C. because of short term jobs, and they do not realize the damage to the environment in the long term. ... the power of these companies always wins over ... native bands.

I would like to see land claims settled. I would not want my people in the situation they are in in B.C. The Indians went to the provincial government and asked them to settle land claims. They said, you are a federal responsibility, go to Ottawa. They go to Ottawa, and they said to the federal government that they would like to settle land claims in B.C. They said, we have no land in B.C., so they are sort of caught between these two governments.

Ms. Hayden: Just in response to that, the reason for doing this paper is for no immediate reason. I said earlier today, and I will say again, it is an exercise in long range planning, to have people begin to think ahead 10 or 20 years, or whatever number of years it might be, even 50, and to begin to now look at how we want to plan for the future. Everywhere we have been, people have said that land claims must be settled.

Governments so seldom do that kind of long range planning that it seems a bit foreign to people to be asked to think that way but, as I understand it, that is what this paper is about.

Mr. O'Brien: I guess there are some good points and some bad points on becoming a province. We could be a rich province, but we would have no powers. People are changing, times are changing, and you have to change with them. You have to live with that. With the small population you have, what are you going to do? Tax everybody?

I am sure we are not going to get that much handout from the federal government. I would like to see the Yukon protected, though.

Ms. Hayden: Do you have any opinions about circum-polar ties? Do they mean anything to you? Maybe I have gone too quickly for that.

One of the questions in here is whether we should be building closer ties with some of the northern regions of other countries, whether it be Alaska, Northwest Territories, Greenland, whatever, or whether that is important to us in the

Yukon?

Mr. O'Brien: The Athabaskan speaking people are spread from the coast of Alaska right down to the Apaches in the States. ... almost hear some of the words that they are saying. A lot of the language and dialects are the same. Even in Old Crow, everybody is tied to the animals. It is like a pattern.

Mr. Tracey: Are you talking about political ties?

Ms. Hayden: Probably economic. I think that is the intent that is meant in this, although the question is asked in broad terms.

Mr. Tracey: It is pretty hard to have economic ties to another jurisdiction when you do not have control of your own jurisdiction. I would think that it would be an exercise in futility to try to have ties with extra-territorial jurisdictions. It is all right to sit down with the Northwest Territories and speak with them about the same problems that you have, but consultation is a heck of a lot different than political ties.

Mrs. Firth: It is more of an information exchange on common problems and cultural habits, and so on.

Mr. Van Bibber: I think if we do not have ties, we are in big trouble, whether it be economic or political. If we do not open up and start pulling together, whether it be with the north region or any region of Canada. We have shown how small the world is right now, with burning the rain forests, or whatever. I am not a world protector, and I am not going to turn the Yukon into a park or anything, but it has to be managed properly. There are people who are very narrow-minded. Other people are a little bit wider, but the big picture has to be looked at. It is that simple. If we do not, our kids are going to be in big trouble.

Ms. Hayden: Does anybody else have any thoughts on that?

Mr. Fairclough: I think Pat is right, as far as when you start looking at our environment and the air, and all that, I do not know whether the ties would just be for strength, to pull ... together and put pressure on people, especially on the environment, when you look at our ozone and all that. I do not know about the northern countries putting pressure on the other countries to cut down on pollution. It is a pretty tough thing to do. It is almost impossible. Sharing information is a big one.

Mr. O'Brien: I think there should be stronger ties in protecting wildlife, like the Porcupine caribou herd. They run through the Northwest Territories, through the Yukon and into Alaska. There should be some sort of ... to protecting animals like that. Even the Northwest Territories, a lot of the native groups are ..., and they do have political organizations ... Porcupine caribou herd management board. There should be closer ties in that area that would benefit the Yukon more.

Even ... Ottawa and the territories.

Mr. Smith: I really see a need for more communication and ties, especially with the Northwest Territories and with Alaska. I see potential strife and open hostility in the future between Yukon and Alaska over the river salmon fisheries, because of the declining catch year by year, the salmon harvest and big Japanese companies that just scoop up the salmon of all size and ages from the Pacific Ocean, and of many of the Yukon-raised salmon at the hatchery being caught in Alaska coastal waters, or Alaska itself. To be effective, there needs to

be a very strong agreement between Yukon, Alaska, and even Japan and other countries that fish heavily in the north Pacific, taking all that gets caught in the net, disregarding species, age or sex. The needs of Yukon and Alaska are all woven together, so there needs to be agreement, as far as limits. So many more fish, like chinook, are released from the hatchery than come back, year by year, into the Yukon River system here.

With respect to the Arctic National Wildlife Refuge, for the caribou and other environmental factors, social needs that need to be addressed, but not necessarily between Washington and Ottawa, but here among northerners between Juneau and Whitehorse and Yellowknife. They should get together and agree on these common shared heritage to manage, to be all involved.

They are so interdependent, whether we like it or not, upon what happens to Japan fisheries, the U.S. sport and commercial fishermen, as far as what comes up the Yukon.

Mr. O'Brien: That would be an advantage and disadvantage. The advantage is that, as a province, Ottawa would sit up and listen to us. As a territory, we do not have much say up there. You talk about the salmon. Fifty percent of the salmon is grown in Canadian waters and the Yukon River system, and 50 percent in the ocean and Alaska. I do not think we even get 10 percent of the salmon. There is no treaty to protect the salmon. A lot of salmon are released on a yearly basis in the river there is no law in place that protects these salmon. Politically, there is some Northwest Territories .. there is some way to protect these salmon.

Ms. Marino: I think it is like anything else. The larger the body, the larger the voice. Yukon may not be able to fight very satisfactorily against Ottawa. However, if there was communication between provinces, territories, the United States, looking at Alaska, and if there was a sharing of information or some communication there about common problems, there would definitely be a larger voice coming from the Yukon and the Northwest Territories. If Alaska was possibly handling it on their end by petitioning their government, et cetera, then you are not dealing with 25,000 people. You are dealing with considerably more. Also, in issues like that where it affects the environment, or fisheries or wildlife, or whatever, you have all kinds of other lobbying groups that will jump on the band wagon.

As far as establishing political ties, no, we cannot do that until we get our own laundry done. It only stands to reason that the more communication between provinces, territories or even States, or other countries that have similar living conditions and problems, the more people, the more ideas, the louder the voice.

Back to the issue of provincehood, I do not think we are ready at this point for provincehood. I think it is something that should be kept open. I do not see it within the next five or 10 years. It is probably 15 or 20 or better. There is too much inner turmoil right now in the Yukon and too many question marks with our own native land claims, the handling of fisheries and all the other stuff that is being handed over from Ottawa, and the battling that is going to be going on between here and Ottawa for control over management. Until the laundry is cleaned up here in the Yukon, and we are all going in the same direction and know what we want and what we are

doing, it is going to be impossible to go to provincehood. That is just going to add to the pile. It is one more thing to figure out and fight, and you end up wondering which way you are going half the time.

My opinion is that, once we do get things straightened out in the Yukon where we know what is happening and where it is going, I think it will become a question of not can we, but do we want to become a province. There are going to be some good things about becoming a province, but there are also going to be some things that we are going to be giving up.

If we are going to be made to adopt this equalization thing the way the rest of the provinces, we are not going to be able to do that in the way we are managing and doing right now, so we are going to be looking at having to open up a lot of new industries, et cetera, which is going to lead to the pollution and environmental change and lifestyle. In my opinion, it is going to come to a question down the road of whether we want to or not, not whether we can or cannot.

Mr. Fairclough: Should the Yukon become a province, and the money is divided up equally from the federal government to the provinces, do they base it on a per capita?

Ms. Hayden: Yes, which puts us on a pretty small scale.

Mr. Smith: I believe, ultimately, these issues could be solved, not necessarily by the ... or the Whitehorse government, but by a consensus of all the people, by a secret ballot. That would be fair, just and binding on the government, where all the people have spoken. Then, the government can act on the will of the people in negotiating whether a new type of territory or status within Canada, or provincehood, with Ottawa. I am very scared of these secret meetings behind closed doors, where the will of the people is not consulted, but just a group of people vote decide the future of the province without a clear mandate through the secret ballot or a plebiscite.

Mr. O'Brien: I agree with what he said. A secret ballot would be a fair and just way. Before you do have a secret ballot or a plebiscite, you should educate everybody on the advantages and the disadvantages, and what it means, so they know what they are getting into.

Mr. Smith: We should have very educated and knowledgeable voters.

Mr. Tracey: I think you would probably find that secret ballot is like an election. One party will be for provincehood and one party will be against it. That is usually the way it is. That is the parliamentary form of government. That is probably the way it will happen.

Mr. Fairclough: How are the other provinces viewing us becoming a province?

Ms. Hayden: What do they think about it? I do not think they think about it very much. Once or twice since the Gold Rush, B.C. has made a move to annex the Yukon, to make the Yukon part of B.C. It happened in 1936 and in the 1960s. I believe WAC Bennett made another proposal. It almost happened in 1936. At that time, the Roman Catholic Church raised a big fuss, so it did not happen.

Again, there has been nothing recently, because they are busy with their own problems. I do not think they care much.

Mrs. Firth: When the constitution was drawn up, and it stated that seven provinces, including 50 percent of the

population, had to give consent to whether the Northwest Territories or the Yukon was going to become a province, that indicates that the provinces have quite a bit of concern about us becoming a province. Otherwise, we would have been allowed to do it just the way every other province has done it.

To answer that question specifically, I think there is a concern out there amongst the other provinces as to when and if and how we decide that we want to be a province.

Mr. Tracey: It is the same thing. They did not agree to change the Meech Lake Accord, and it required unanimous consent.

Ms. Hayden: They made it very difficult.

Mr. O'Brien: In becoming a province, does the federal government hand all authority over to YTG?

Mrs. Firth: That is something that would be negotiated at the time of the decision.

Ms. Hayden: It varies with different provinces. Some got the full authority over land, plus dollars, plus resources. Some were different. It was negotiated with each province.

Mr. O'Brien: I said that because that is going to open up a lot of things. Land claims should be settled first, and we have to clean up our backyard before becoming a province.

Mrs. Firth: From what we have heard so far, there has been a consensus. This gentleman talks about consensus. There has been a consensus that land claims be settled first, that we worked together as all Yukoners for one common cause, and that that common cause be determined by a referendum or a plebiscite, or something to that effect.

There seems to be some consensus about how we should go about it. There is also a consensus about wanting more information. People want to know the pros and cons of being a province, as you have suggested. Whomever the government of the day is will have a responsibility to provide that information.

From what we have heard from people, the requests for information have been in three categories. One, our financial position, how we are going to fare; second, what our economic status could be: in other words, what resources and what the sharing would be of those resources. Number three, at Pelly today, we were discussing what more power we would have as a province as opposed to being a territory. All that kind of information will have to be provided to Yukoners so they can make an informed choice when the time comes.

Ms. Hayden: That is the key line: when and if the time comes. No one has made that decision yet.

Mr. Marino: Something I would like to see is that it is too bad that provincehood is up there in great big letters like a title. To me, it is not just a name. It indicates fiscal responsibility, general management skills, probably indicates that there is strong confidence throughout the general public. If we look at the themes that will make us ready for provincehood, that should be our goals, not having a title. It is like getting out of school with a diploma, then someone finds out you did not really go. If you have a diploma that says you are educated, or says you are a province, I think we should target the skills and situations that would make us a responsible, viable province.

One of my concerns is that if we do not target that now, and that includes not only preparing ourselves, but preparing acceptance through the rest of Canada to be able to get in, we

could run into a brick wall and never get there. This term lifestyle: many of us use it in conjunction with the word Yukon or Yukoners. Everyone from one end of the country to the other would come up with a different description of what that lifestyle is. I do not see being responsible as damaging that lifestyle.

There are a couple hundred thousand square miles out there, and you can pursue a lifestyle somewhere within this Yukon that will suit you, I am relatively sure. It is out there. If you are here already and enjoying what you have, I do not see it disappearing like the cartoon show where the guy comes in and cuts the entire forest, so that he will be rich and all the poor animals are going to starve to death.

If we are responsible, I do not think we have to worry about that sort of a situation. If we are responsible, then provincialism should follow but, if we do not target these things, and sit back and say, it is fine the way it is, without looking at what will be better and an improvement, then I do not know where we are going. I do not see how we can ask for more responsibilities until we can show that we are handling the ones we have.

Ms. Hayden: I think we have covered most of the topics in the green paper, in one way or another. Does anyone have any final comment?

Mr. Tracey: I would like to make a comment in regard to a lot of people earlier want to preserve the pristine wilderness, tourism is one of the best and least environmentally damaging forms of occupation there is, and it now the largest industry in the world. One of the biggest reasons why tourists come to the Yukon is because of the rape and pillage that took place in 1898. They want to see Dawson City. It is known worldwide.

Everything has its place. In 1898, they made a hell of a lot of money out of the gold and, now, they are making a hell of a lot of money out of the tourism. Just because it happens to change the countryside, it does not necessarily mean it is bad or wrong.

Mr. Fairclough: Say the land is not going to be making a whole lot of money for us, I am saying that, the way Indian people are, they never liked mining, they do not like exploiting the land in any way. If you go back and look through the land claims, you have to wait until it is finished, because you are going to look at how much control Indian people have over the land. To become a province, it is really a wrong move right now.

Ms. Hayden: It is not the time.

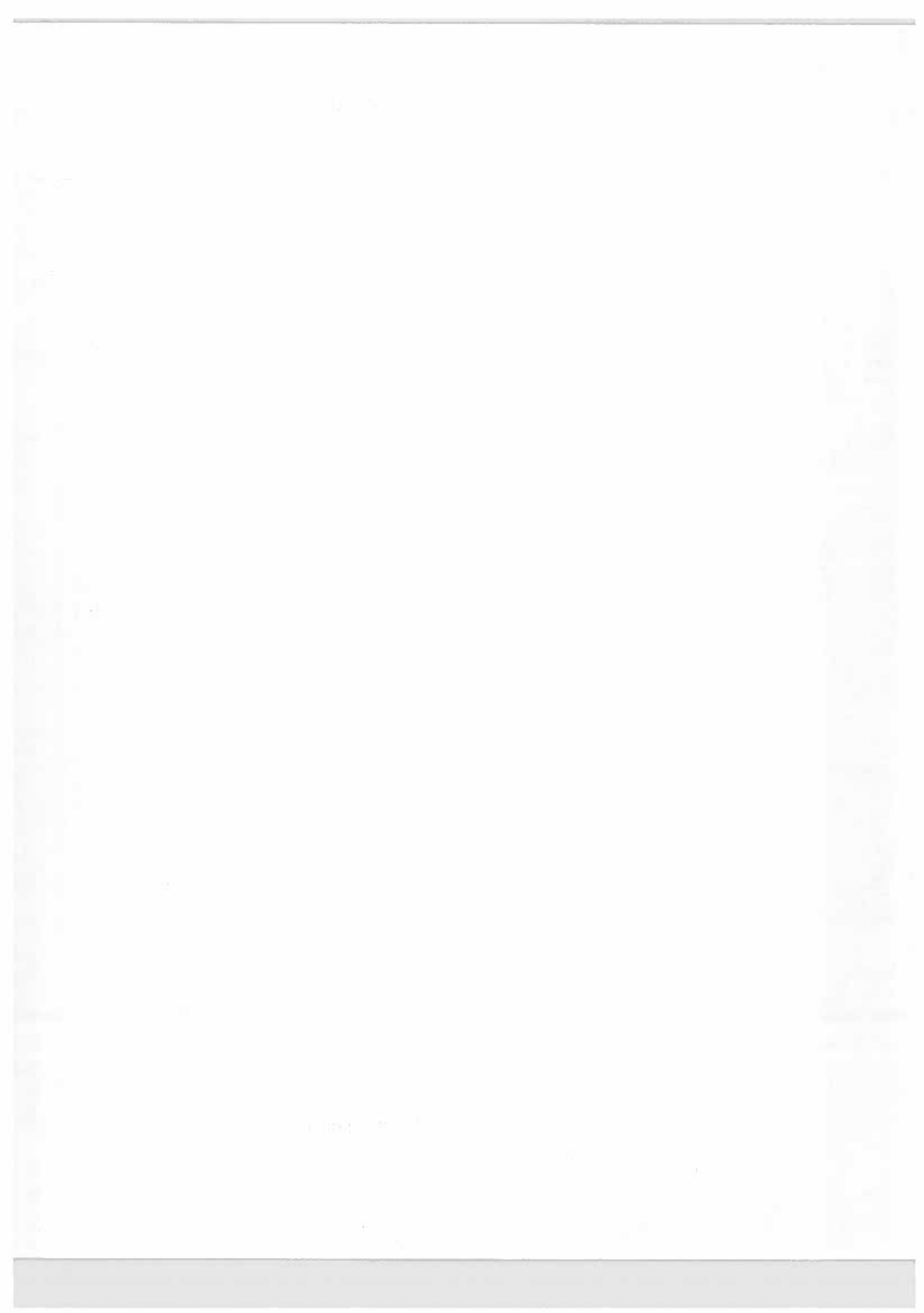
Mr. Smith: In summary, the Yukon is an unfinished story in our saga. We, as a people, as we mature and grow, we will be given or need more responsibility to act wisely, ... with considering all angles and cultural and personal needs. Land claims is one step of the ladder. As we demonstrate maturity and responsibility in this area, we can ask for and receive more responsibility. We can demonstrate education interest and maturity in that area. Whatever is best for Canada and the Yukon in the future will depend on how we use our responsibility now. If we can earn more responsibilities in self-government or whatever area then we can press and ask reasonably for more responsibility and control of our own destiny.

Mr. Joe: This is my last comment of the day. I want to

say that it is nice to hear from the people who express themselves. ... everything done by bureaucrats, I agree with what the people say. The bureaucrats are taking our country over and screwing it up ... problems all the time. It is about time that we started standing on our own two feet ... our own rights. It is very good to hear.

Ms. Hayden: Thank you very much for coming.

Adjourned at 8:50 p.m.





Dukon Legislative Assembly
27th Legislature

**Select Committee on
Constitutional Development**
PROCEEDINGS

**Community Centre, Watson Lake
Monday, March 11, 1991 — 7:30 p.m.**



PRINTED ON RECYCLED PAPER

SELECT COMMITTEE ON CONSTITUTIONAL DEVELOPMENT

The Select Committee on Constitutional Development was created by the following motion of the Yukon Legislative Assembly on May 14, 1990:

THAT a Select Committee on Constitutional Development be established;
THAT the Committee be comprised of two Members of the Legislative Assembly, one to be appointed by the Premier and one to be appointed by the Leader of the Official Opposition;
THAT the Green Paper on Constitutional Development be referred to the Committee;
THAT the Committee receive the views and opinions of Yukon citizens on the Green Paper, and present a record and interpretation of such views and opinions to this Assembly;
THAT the Committee hold public hearings on the Green Paper in Whitehorse and at least one community in each of the electoral districts outside Whitehorse;
THAT the Committee invite oral and written representations on the Green Paper from residents of the Yukon and, where appropriate, from individuals and groups outside the Yukon;
THAT the Committee report to the Legislative Assembly no later than the 1991 Spring sitting of the 27th Legislature; and
THAT the Clerk of the Legislative Assembly be responsible for providing the necessary support services to the Committee.

MEMBERS OF THE SELECT COMMITTEE

Hon. Joyce Hayden, M.L.A., Whitehorse South Centre
Bea Firth, M.L.A., Whitehorse Riverdale South

STAFF

Patrick Michael, Clerk of the Assembly
Missy Follwell, Clerk Assistant

PARTICIPANTS

at the Watson Lake Meeting of March 11, 1991

Devries, John (MLA)	Skelton, Jenny
Lang, Archie	Thomas, Mickey
Peet, Nora	Trusz, George
Peters, Jean	

WATSON LAKE, YUKON

March 11, 1991 — 7:30 p.m.

Mr. Devries: It is good to see such a crowd here tonight. I think most of you know everybody here. Bea Firth is the Member for Riverdale South, and Joyce Hayden is the Member for Whitehorse South Centre. The two people there are Missy Follwell and Pat Michael. Pat Michael is the Clerk, and Missy is the Assistant Clerk.

Ms. Hayden: Bea and I were appointed last year by the Legislature to travel around the territory to hear what people's opinions were about the constitutional development of the territory. We are directed to go to every constituency and to report back to the Legislature this spring. At the end of our meetings on April 2, a report will be written and we will report back to the Legislature.

The report is then the property of the Legislature, and it is up to them as to what happens to it next.

We are taping the meetings so that we can have an accurate record of what people are saying. Bea, do you have anything more to add?

Mrs. Firth: No.

Ms. Hayden: Some of the questions that are in the green paper on constitutional development are questions such as: do you think the territory should be heading toward provincehood; do you think it should stay just as it is; are there other options; what are the most important next steps toward self-government or programs that should come to the territory?

With that, I would ask you to share your opinions about it.

Mr. Trusz: What is the logical reason for switching from territory to province?

Ms. Hayden: There is not a specific plan at this point in time. As I understand our role, it is to begin to hear whether people want the door left open so that, one day, our children or grandchildren might have the opportunity for provincehood. There is a feeling that, had Meech Lake passed, there would not have been an opportunity for provincehood.

Some of the reasons for it are more autonomy. Some of the reasons against are financial, and we are a population of 30,000. It would seem that it could be quite difficult. Those are the kinds of questions I would like to hear from you.

Mr. Lang: How could we possibly, in our wildest dreams, with 30,000 people in the Yukon, we spend \$1 million a day on those people. Do you know what that is for every man, woman and child in the Yukon? We could never become a province. Economically, if we keep going the way we are going, we will never become a province. Our spending is going up and up on 30,000 people. We do not build anything but community clubs for these 30,000 people. We have no fiscal management. It would be a horror and injustice for any government in the Yukon to tell these 30,000 people that they could become a province.

We could not grade the roads. We are absolutely at the mercy of the federal government. If they cough, we are ...

In the last eight years, we have spent about \$1 billion. On what? Look around the Yukon. There are no more roads. We have not expanded our road network. We have not built any new bridges. We have maintained the structure that we have.

The 30,000 people here are probably the most spoiled 30,000 people in Canada.

If we went out to the real world, like Toronto, that is collecting all this money, this money is coming from somewhere in Canada. We have free medical. We have free this. We have free community clubs; we have free swimming; we have free, free, free. Everything is free. Somebody is going to tell me that we could tax these 30,000 people? Just to clean these buildings we have built would break 30,000.

Ms. Hayden: You are suggesting that our best future is to remain a territory.

Mr. Lang: Certainly. I do not think there is any way that Ottawa is going to shut the door on anybody. Ottawa is going to say they would love us to become a province. Take on all those responsibilities. Who needs it?

The only time that we are not treated as a province is when we go to federal meetings. Who cares? One little voice in the storm representing 30,000. We are not even a suburb of Red Deer, and we are going to talk provincehood?

This year, our taxes went up by 14 percent in this town.

Mrs. Firth: Your municipal taxes?

Mr. Lang: Yes. On my block alone, since I bought my home nine years ago, there were three government homes on the block and six non-government homes. That is now reversed. That has absolutely deteriorated my block through this million dollars a day that is coming in.

Mrs. Firth: What about the eventual provincial status? Is it something we should be working toward, or should we just be dismissing it altogether?

Mr. Lang: Are we not working toward it? If we get a population of 150,000; if we get our financial house in order, and we can prove that we are not going to be beggars for our whole lives to Ottawa, certainly we could become one. Ottawa will let us become a province when we push for it, because it takes a big drain off them.

So be it. Until we can start getting our house in order, and get to be at least spending some of the money that we collect at home, not all of it coming from Ottawa, we are doomed.

Mrs. Firth: What about our revenue-earning potential? Do you think the Yukon has any?

Mr. Lang: Yes, sure we do, if it is not artificial. If we build it on government spending, that is an artificial economy. When they talk in the *Whitehorse Star* that we are immune to the recession, we are not immune to the recession. The government is spending more money on building in Whitehorse, and all that kind of thing, but it is still not a true economy.

Certainly, the carpenters are working in Whitehorse. It is not like Toronto but, one day, when the recession hits, we will never recover. That is in my mind.

Now, I run three businesses, and I know that, when you keep over-spending, one day the bank phones, and you are in trouble. The bank from Ottawa is going to phone one day, we are all going to scream bloody murder, and they are going to cut us off our money. What is going to happen then to the 30,000 people?

Ms. Skelton: What I would like to see in the territory is, we have a lot of people living on welfare and using various systems. They often use health care unnecessarily, when they could be doing things at home for themselves. I would hate to

see the free medical service go out. I am a great believer in that. I think that is one thing where we should all be the same, is how we get treated when we are ill. Also, the education system should be free for the elementary and secondary schools.

I would like to see something put in where we can reverse the trend of the welfare recipients who are now in the third generation. We do not seem to be able to break them of that habit. It is a way of life.

There are big strides in the native population there. Their way of living has improved, their health has improved, the babies' chance of survival is much better, but I think we still have a long way to go, because the work ethic is not there. We have too many ... families. I do not know all we have to do, but I would really like to see something where we can maybe put some training into the school, or somewhere, where people know how to become good parents, people know how to become good citizens. The two-parent families in this town are very much in the minority, and it is a very sad state of affairs. It really bothers me.

Mr. Lang: In the education end, and Jenny can vouch for this ...

Ms. Skelton: I work for Yukon College right now, and we are getting students who have dropped out of high school. I cannot believe ... something in high school. It just boggles my mind when I see the kids just do not care a damn, unknown to their parents.

Mr. Lang: Jenny, you have to agree, that ... they recommend to me, where are your kids going to school, where do they recommend my children go to school. The first thing a teacher says is, get them out of here. So, if you have access to ...

Ms. Hayden: Excuse me, Archie. We cannot tape if two people talk at once. If you let her finish, we will let you have a go.

Ms. Skelton: I am saying that I see the adults coming through Yukon College now, and I am impressed. The people who are coming through are dedicated. We weed them through pretty fast, and the ones who stay I am impressed with. My opinion of people going to Yukon College was pretty dismal, but we have put some various controls in there, and various things that weed the people out. If they are not serious, then goodbye. You take responsibility for your actions, and I think the students appreciate that.

I know the people in town feel that they are paid to go to school, but I would rather have someone who is paid, and they are not paid very much, unless they are on UIC, and go to school and do something with the time than sit at home and sit on welfare, than not do anything.

I see the other side of this. As far as schooling is concerned, I think we have excellent teachers in the high school and in the elementary school. We are very lucky. Unfortunately, though, when you live in a small town, the fact of the matter is that we have a lot of kids who are drop-outs. The ones who are heroes, and the ones who goof around and drop out, drink, smoke, whatever, do drugs, and the ones who are just smart and want to achieve are the ones who are shunned. It is a very sad state of affairs. You have to somehow turn it around.

I also think that if their parents and homes respected educa-

tion more than they do, I think it will turn around. We sent our son out to school in Victoria, but that was because he wanted to go out, and we are able to send him out. That was our choice.

Mrs. Firth: Are you telling us, by raising these concerns about the education system and the health care system ...

Ms. Skelton: I would like to see it more preventative.

Mrs. Firth: Are you telling us that is more of a priority to you than talking about provincial status?

Ms. Skelton: Yes. I think our health system is really proving itself, but I think it is abused, and I do not know how we can avoid it. We were here for six months without a public health nurse. I would like to see many more preventative programs and education programs for the communities, to bring the standard of communities up.

Mrs. Firth: We are hearing a lot across the communities, since we have been out. In one area in Haines Junction, a person there listed off 15 different things that were bigger priorities than provincial status. We are hearing a lot of people saying, why are you doing this? This is not really important to us. We are more concerned about other important issues, such as blah, blah, blah.

Where does provincial status come on the list of priorities? Is it near the end, in the middle?

Ms. Skelton: For me, personally, it comes at the very end. I would like to leave a door open so, if in the future something happened, we boom or something, we would have the ability to still put our foot in. Right now, I really do not think so.

Another thing, if we do go to provincehood, I would like to see every province being equal. I do not like the idea of begging, making demands on the rest of Canada, trying to join them. I think we should be all equal. We all should be Canadians first, and then worry about what problems we come to.

Ms. Hayden: We are hearing this across the territory, that people want the door left open for some day. They do not want to see it slammed shut, but it is certainly not a high priority in the near future. This is consistent.

Mr. Trusz: One thing that crosses my mind is that it is obviously going to cost a great deal more money to go from a territory to a province, more for the taxpaying citizen. In my personal opinion, until all people in the Yukon Territory pay taxes on an equal basis, that means Indians and whites alike, you can forget the entire notion.

We have 55 percent of the population up here and, even when they do work, they do not pay taxes. Therefore, it is a dead income. Yet, our medical supplies, schools, and everything is supporting those people. That means that we, the taxpayers, have to pay twice as much to support the other half.

If you want to switch to a province, forget it. It is just a logical impossibility.

Mr. Lang: We would make Newfoundland look successful if we were a province. Our education and whole system, when we talk about constitutional change, the Yukon is a very small part of Canada. We are nothing. When we talk about a democratic form of government, when Riverdale South elects you, Bea, for four years, or until the next election, you can virtually do whatever you want, and the people in your riding have little they can call you back for. You have no policing at all.

When you think of the sawmill that nobody wants to talk about, we spent nobody knows, except somebody higher up in the government, who will not tell us. If Tony Penikett had been governor of Colorado, he would have been impeached. They would have had a system of government for recall.

Ms. Hayden: So, you would like to see us go to the American system.

Mr. Lang: Yes, where you have checks and balances, where the president of the United States is accountable to the House and to the Senate. He can be impeached. There is no guarantee you are going to be there for four years, buster. They just did that in Arizona, where they recalled the governor. They did not like what he was doing. There is a procedure to go through.

When you see that Brian Mulroney can give \$5 million away at a cocktail party to Mandela, and he can do it. He is virtually a dictator for four years. Maybe he will be a good one, and maybe he will be a bad one, but what a form of government.

When you people, as the head of the government and Members, it is not a good way to work without checks and balances. Look at that thing on TV. I see this thing in Ottawa where they rant and rave and scream at each other. If you are the NDP, you are against the Conservatives, it does not matter what they say. You shelve half the country and ignore them for four years.

In the House of Representatives, that does not happen. You need support to get things through.

Ms. Hayden: Does that mean, in the short term, you would like to see closer ties with Alaska and other circumpolar countries?

Mr. Lang: I think we have to go to that, as the world shrinks.

Ms. Skelton: What choice do we have?

Mr. Lang: I am not saying we are going to go hand in hand and join them, but I think we have to communicate with them. The British parliamentary system was built on honesty and credibility. In the old days, when you became a senior, you got elected as a Member of Parliament. They did not make it their life. They stood up and, if somebody made a mistake, they resigned.

In Canada, we do not do that.

Ms. Hayden: You ought to read some of the old stuff, Archie.

Mr. Lang: Still, the American system, where you elect a president. Our system here, it financially does not work. Look at our economics.

Mrs. Firth: We have heard some representation with respect to electoral change. So, this is a new point you are raising about having a more accountable system of government in Canada, in the Yukon. You like the recall, so that Members are accountable.

Mr. Lang: So people are accountable to the people they are representing. There is no guarantee that you are going to stay there for four years. If you do a good job, then it is fine.

Mrs. Firth: I think that is a valid opinion that we can register.

Mr. Lang: Another thing is when we have deputy ministers being arrested at an airport, then the honourable thing for

him to do is to get off the airplane, say I am sorry, I am innocent, but I am stepping aside until such a time as I am proven innocent. I am not going to collect a pay cheque until then.

Mrs. Firth: Is this another one of those issues that is of a higher priority than whether we become a province or not, something to do with electoral changes?

Mr. Lang: Certainly. Another thing that is interesting is, Old Crow has 250 people and they have a Member. What about Riverdale South? You have 3,000 people. They get the same representation as you do. That is not a democratic form of government.

Ms. Skelton: Putting the shoe on the other foot, if you were the Member elected for Old Crow and Dawson City, you would have a heck of a lot of area to cover.

Mr. Lang: I understand that, ... both sides of the issue here.

Ms. Skelton: You also have to think of the person's life who is representing that community and how much travelling they are prepared to do.

I think of this fellow who does Keno, he has an incredible area to cover.

Mr. Lang: Again, he ran for the job. He has to do the job. I am just saying to you that that is an imbalance in the electoral system, that Old Crow is as important as Riverdale South, when it is not.

Mrs. Firth: We have heard at least four or five communities raise that particular concern, for different reasons. Just now, in the news this morning, an individual has challenged that process, so that issue may be getting addressed.

Mr. Lang: They did in Manitoba.

Mrs. Firth: Saskatchewan just came down with their ruling, and B.C. has a ruling. That may be one of the issues that is addressed.

Ms. Skelton: Another priority I would like to see is diversification of various industries, whether it be light industry in the Yukon, so we do not rely on tourism and fishing and welfare. Also, we would definitely like to see the government structure cut down, so we can do away with all these deputy ministers. For the 30,000 people we have in the Yukon, we are top heavy, and all those salaries are extremely high.

Mr. Thomas: Twenty years ago, YTG all fit in the Lynn Building. How many people were around then? Not too many more than there is now.

Mr. Lang: From an employer's point of view, those wages just kill us. We cannot compete with a \$60,000 a year job. What is the lowest paid job? At \$36,000, you start in a little office after graduating from high school as a typist. If you have 80 words a minute, you have a job for \$36,000. Again, it is a monster, and it just swallows all the people up. Deputy ministers are all making piles of money. You guys are all making piles of money. Canadian politicians get \$96,000 for a Member of Parliament. The Senate gets \$70,000 some and \$150 a day when they show up as an incentive. I would say to you, if you do not show up, you do not get paid at all. I would go in the reverse.

Ms. Hayden: That is the way it works in our Legislature, too. If you do not show up, you get docked.

Mr. Thomas: That is how crazy our government is,

whether it is territorial or federal. All this money.

Ms. Skelton: Would Yukon's best future be to remain a territory with perhaps more powers? Until we are a bit more fiscally responsible, I think we should stay as we are, and we should work to get our house in order. When we have our house in order, then maybe we should start going for a bit more power.

Really, we do very well, compared to the provinces in Canada.

Mrs. Firth: In case some of you do not know, the per capita payments for Yukoners is about \$13,000 per Yukoner. The highest per capita in the provinces is \$2,500. That is the province that gets the highest per capita.

Mr. Lang: That is Newfoundland.

Mrs. Firth: That is just YTG. That does not include money from to the federal government and the Indian amounts of money that come for Indian Affairs.

Mr. Trusz: Whose idea was it to switch from a territory to a province?

Ms. Hayden: There is no idea to switch. The whole purpose of the green paper, as far as I can determine as I read it, and as our instructions were, was to do a check to see whether or not devolution was happening too fast or too slowly to suit people. Jenny has just said that it is okay like it is, and that is what we are hearing. People are saying it is okay, do not speed up, do not slow down, just slow and careful. That is the purpose of this.

There is no one who said, we are going to be a province tomorrow. There is no one who said, we are going to stay exactly as we are. It is that kind of, maybe it is time to take a reading around the territory and see what people's opinions really are of whether they have concerns about going too fast or too slow.

We have heard it very clearly. You sure as heck do not speed up, and you do not stop. You keep the door open down the road, and you go very carefully and you be very aware that we are not interested in becoming a have-not province. Those are the kinds of things that we have heard. I assume it will be listened to, otherwise we would not have been sent out.

Mr. Trusz: In other words, if Tony Penikett wants to be a real Premier, he has to go somewhere else.

Ms. Hayden: Those are your words, not mine.

Mr. Lang: Maybe he can go and run MacMillan Bloedel.

It is a very interesting thing because, like Jenny says, it is economics, and we do not have an idea of economics. When you think of \$13,000 a year coming to 30,000, and we are not even a suburb of Red Deer, and we are spending \$1 million a day, Toronto had better not hear about it.

Ms. Hayden: You were going to say something?

You are agreeing with him?

Mr. Lang: This is the best kept secret in Canada.

Mr. Trusz: Leave well enough alone.

Mr. Lang: You are darned right. Think of what we are spending. Thirteen thousand dollars for everybody in the Yukon, and then the federal government comes in and funds the natives. That is 8,000 people, so we fund them.

Ms. Skelton: Unemployment is federal.

Mrs. Firth: Educational programs.

Ms. Skelton: The federal ones are UIC, CEIC and

DIAND.

Mrs. Firth: There is a summer student program.

Ms. Skelton: The summer student program is 50-50.

Mr. Devries: In reality, there was a reason for the GST.

Ms. Skelton: The territorial government picks up 50 percent of it.

Mr. Lang: I am surprised it is not 30 percent, but it all boils down to fiscal.

Mrs. Firth: There seems to be more interest in discussing everything else but constitutional development. Does anyone else have anything else to say?

Mr. Devries: Another big question is with the land claims. When you hear the way they talk about self-government, we tend to lose approximately one-third of our population, where the government as we know it today would have control over two-thirds of the population, and the status of the other third is going to be questionable. We are actually losing ground right now.

Mrs. Firth: That has been raised in some of the communities, more in the context that, first of all, we were hearing that they want land claims settled before we look at provincial status or moving toward it. In the land claim settlement process, the Indian people will be getting responsibilities for their lands that the rest of the Yukon does not have. For example, they will be getting surface and subsurface rights to their lands. We do not have that right now, as the Government of the Yukon. When that happens, there may be a movement toward the rest of the Yukon assuming more responsibility and getting more rights over their resources, which may bring more revenue to us, if we can promote a new mine to open, or something like that.

Mr. Lang: I think the Indians would be easier to deal with than the government. If I was a mining company, I think I would go in and talk to them.

Mrs. Firth: I think they have found that with other claims, that Indian people are working quite compatibly with business. That will probably also happen here in the Yukon.

The general consensus we have been hearing is that the Indian people and the non-Indian population work together toward provincial status, as opposed to having one group over here working for their self-government and, then, a non-Indian community working for provincial status.

Ms. Skelton: I think one defeats the other.

Mrs. Firth: That is the consensus we have been hearing, that everyone has to work together.

Ms. Hayden: Does anyone else have any more comments?

Ms. Skelton: I am interested to see what is going to happen with native claims because of the B.C. decision. We will have to see what the Supreme Court does with that.

Mr. Lang: They made sort of a pig of themselves with the claim. The claim was the size of Nova Scotia. That really screwed up Smithers. They took a big block. They should have perhaps taken a little bit and put first rights on the rest.

Ms. Skelton: I feel sorry for the Supreme judges, because they have a heck of a decision to make.

Ms. Hayden: It is going to be very difficult.

Mr. Lang: That is what they are paid to do, make a decision for the Canadian people on what is right and what is

wrong.

Ms. Hayden: Can I just do a check out here to see if we are finished talking about Yukon constitutional stuff? Shall we wrap that up?

Mr. Lang: I think we should go independent. To hell with the provincehood. We should just jump right into the world thing and ally ourselves with Iraq.

Ms. Hayden: Thank you all for coming.

Adjourned at 8:05 p.m.



Dukon Legislative Assembly
27th Legislature

**Select Committee on
Constitutional Development**
PROCEEDINGS

**Recreation Complex, Teslin
Tuesday, March 12, 1991 — 7:30 p.m.**



PRINTED ON RECYCLED PAPER

SELECT COMMITTEE ON CONSTITUTIONAL DEVELOPMENT

The Select Committee on Constitutional Development was created by the following motion of the Yukon Legislative Assembly on May 14, 1990:

THAT a Select Committee on Constitutional Development be established;
THAT the Committee be comprised of two Members of the Legislative Assembly, one to be appointed by the Premier and one to be appointed by the Leader of the Official Opposition;
THAT the Green Paper on Constitutional Development be referred to the Committee;
THAT the Committee receive the views and opinions of Yukon citizens on the Green Paper, and present a record and interpretation of such views and opinions to this Assembly;
THAT the Committee hold public hearings on the Green Paper in Whitehorse and at least one community in each of the electoral districts outside Whitehorse;
THAT the Committee invite oral and written representations on the Green Paper from residents of the Yukon and, where appropriate, from individuals and groups outside the Yukon;
THAT the Committee report to the Legislative Assembly no later than the 1991 Spring sitting of the 27th Legislature; and
THAT the Clerk of the Legislative Assembly be responsible for providing the necessary support services to the Committee.

MEMBERS OF THE SELECT COMMITTEE

Hon. Joyce Hayden, M.L.A., Whitehorse South Centre
Bea Firth, M.L.A., Whitehorse Riverdale South

STAFF

Patrick Michael, Clerk of the Assembly
Missy Follwell, Clerk Assistant

PARTICIPANTS

at the Teslin Meeting of March 12, 1991

Aylard, Rev. Bruce	McCormick, Marilyn
Chatterton, Sharron	Person, Dick
Guevremont, Michele	Saligo, Frank
Johnston, Hon. Sam (MLA)	Schonewille, Bernice (Mayor)
McCormick, John	

TESLIN, YUKON

March 12, 1991 — 7:30 p.m.

Mr. Johnston: We might as well get going. First of all, I would like to introduce the two MLAs who are going around gathering information on constitutional development. In the last session, they were instructed to go out into the communities to bring back feedback to the Legislature. To my left is Joyce Hayden. She is the Minister of Health and Human Resources. Next to her is Bea Firth. The two who are doing the recording are Pat Michael and Missy Follwell. They work in the Legislature along with us. If there are any questions or information, these are the people who are going around with the information concerning this constitutional development. With that, I will leave it to the two here.

Ms. Hayden: Thank you, Sam. Thank you all very much for coming. It has been a long road, and it always feels very good when people come and want to talk about what is happening to our territory. I have a very firm belief that we all care about it and that we all have opinions. It is really nice when people come out and express those opinions.

As Sam said, Bea and I were appointed in 1990 by the Legislature to travel around the territory to every constituency and to almost every community to hear Yukoners' opinions on where you want to see the territory heading in the next coming years, whether it is the next few years or the next 50 years.

We will be reporting back to the Legislature this spring, after we have been to every community. April 2 is our last meeting. At the spring sitting, we will table a report.

It is then up to the Legislature and the government as to what happens to that report.

The purpose of the meetings was to specifically ask Yukon people whether you are happy with the way the territory is progressing constitutionally, as we sort of chug along as a territory, gradually assuming more programs and more authority: whether you want to see things speeded up, or whether you want to see things slowed down; if you eventually want to see provincehood happen, or if you want to say no; whether you are interested in circumpolar issues, or whether you are not.

Before I get into the logistics, I would ask Bea if she has anything more to say.

Mrs. Firth: No, just to welcome everyone and to say we look forward to hearing what you have to say.

Ms. Hayden: As you can see, we are taping the meeting so we can report accurately. Although Missy is taking notes, we want it to be as accurate as possible. This is not going to be our opinions of what we have heard, but a report on what you have said. So, these tapes will be transcribed, and there will be excerpts taken from that transcription. It will not be Bea and Joyce's ideas of what constitutional development is.

I hope you all have something to contribute, and I would ask that, the first time, you give your name so Missy can be very clear on who it is. With that, I would ask if anyone has come with a statement they would like to make. Sharon, I think you said you had something.

Ms. Chatterton: Yes.

Ms. Hayden: If anyone else does, we would hear that and

then go into a round table discussion.

Ms. Chatterton: I certainly feel nervous. My voice does the usual shaky things and my knees chatter, but I do not want to detract from the sincerity with which I want to say the next couple of things.

I am addressing the notion of pursuing provincehood. I want to make a few comments about that. My own feeling is that the Yukon should not become a province too quickly, and maybe not in the immediate or foreseeable future at all for a number of reasons. I think that one of the major reasons is that we have a population that has two major problems. One is that one segment of our population is still hurting from various psycho-social problems, of which suicide and addiction are some of the manifestations of the general population.

The First Nations people are still recovering a lot from residential school problems and their alienation from the land, and their inability to find work opportunities that suit their needs and their skills.

I think the other problem with the population is that we have an increasingly urban population, which is ruling a wilderness territory. An urban population, no matter how much time it spends in the wilderness and might originally have come to the territory because they love the wilderness, begins to have an urban mentality, and they start doing what we are all doing here, serving on committees, establishing policy. They start to have colleagues elsewhere in Canada, and a certain status is built up around being something more than a territory. They begin to lose track of just the ordinary grass and grass roots movements and close-to-the-land way of living, and they start looking for status in abstractions, which the political process is, it is an abstraction. It and the constitutional process are very important ones, but they can lead us away from the fact that we live in a wilderness territory in Canada. Perhaps along with the Northwest Territories, some of the last great wilderness lands in the world in the near future.

Aside from those two aspects of population problems, there is also the very large problem of the unresolved issue of land claims of First Nations. I think the Yukon Territory still does not have a hard-core environmental protection system set up. We do not yet see ourselves as in a defensive role against any sort of desecration, or even very heavy use of the wilderness. I think that is a very important step to take, before we go into the advanced stages of provincehood, and all the things that that involves.

There is no solid economic base in the Yukon yet. The only two solid economic bases that I can see, the Yukon government being short of funds if they become a province, is going to be something to do with our trees, which is probably pulping, and mining. They are things that destroy wilderness territory. I would be very worried about our trying to move into provincehood when we do not have a solid economic base.

Instead, I think we need to get our house in order before we think about becoming a province. We should begin to think of ourselves in a custodial role for the rest of Canada as a wilderness territorial, some sort of huge preserve, in some sense. I do not mean that there could be no trapping and no use of the land, but the nature of it would be distinctly different from the rest of Canada below the territorial lines.

I do think the Yukon should seek greater self-government

within those strictures, and I think that is essentially what I want to say. There are four main areas that we have to resolve before we become a province, and we have not yet set our goals if we are not going to be a province. We need to set goals for the special kind of territory this is going to be. I would say a custodial wilderness territory.

Mrs. Firth: Are you saying that your concern about us coming around and talking about provincial status right now is perhaps premature, that you have other priorities that you think are more important than the issue of discussing provincial status?

Ms. Chatterton: I think your coming around is not premature at all, because there are many people who are interested in provincehood and for perfectly legitimate reasons. I personally would say it is too soon to move in that direction. We should take a pulse every 70 years, but my own personal vote is, please go slowly.

Mrs. Firth: So, look after the people first, land claims, the environment, and economy.

Ms. Chatterton: Yes, have some sort of economic goals that do not destroy wilderness.

Ms. Hayden: I am not sure whether I missed something, but do you feel that we should leave the door open for some day in the future, when people may choose?

Ms. Chatterton: Nothing is ever static. The needs of Canada might change, the needs of the world will change, and the needs of Yukon people will, so you cannot speak for the long distance. I am looking at in the next decade.

Ms. Hayden: The goal setting now is important to you?

Ms. Chatterton: These goals, not the goals ...

Ms. Hayden: For the moment, thank you. I am sure you will have other things to say. Did anyone else come with a prepared comment?

Mr. Person: I do not have anything written down. I think that what I am going to say is complementary and supplementary to some of the comments Sharron has just made.

I would like to preface what I am going to say with just a little bit of background. I feel it is relevant in this case. I grew up in the United States in northern Minnesota on the Canadian Shield in an area adjacent to a large wilderness peace park, which lies between northern Minnesota and Ontario: the canoe country, or the boundary water country, as it is called.

I began guiding in that country as a teenager. When I went to university, I pursued studies of wildlife biology and did a master's study in the Arctic a long time ago. Following that, I spent half a dozen years as a park ranger and game biologist in the western United States and left that to begin guiding adventure trips, as opposed to the hunting-type guiding, in the mountains of the west and in the western waterways, and so forth.

Wilderness areas that I went into, within four or five years, because of the population base of the United States, were discovered and, in a short while, they had the wilderness named, but they were no longer wilderness in any true sense, in terms of being able to go there and enjoy solitude away from people. It was one of the reasons that prompted me to come to Canada, because I had made some forays up here prior to that. Of course, I was very impressed with the wilderness nature of Canada.

When I finally made a trip up to the Yukon, which was back in the early 1970s, I was flat blown away. It did not take too long before I left the provinces, although I was living in a pretty nice wilderness setting in the mountains of British Columbia and Alberta. Again, the same process was happening of invasion by the extractive industries. You cannot go anywhere around Alberta without being aware of seismic lines and all the things that are implied by that, as well as the logging, et cetera. We just drove up the Cassiar Highway, and it is ravaged.

I have never lived in a place that I have found to be so in accord with my own inner nature. The Yukon is an unusual place, and it is a world gem: this and the NWT. The values that are here are basically renewable ones. I feel that the extractive industries are very short-lived and, in many cases, desecrate the renewable resources. In some cases, the impact on the wilderness is irreparable.

I did studies as a game biologist into such areas, so I am not just speaking of it casually, or from a number of years of being in the guiding business. I think that every one of these jobs, or propositions, that come up, whether it be mining or logging, those two in particular, have to be looked at very carefully. In most cases, the impact they have is something that, often, you are not really aware of until five or 10 years down the road, after the thing has been done. Then, suddenly, you find that the groundwaters have been contaminated, various other kinds of things have happened, and not just in the immediate area where the development has taken place, but in a broad spread. Look at the case of the Yukon River right now and the contamination from Whitehorse, not to mention various other places that are suffering the impact of drainage from mines, and that type of thing.

I think this is sort of the core of what I want to say, that we have something here that, right now, as well as 10 or 20 years down the road, is going to be so unique within the world. It is not something to be tampered with. Once tampered with, in many cases, you cannot bring it back to where it was. There is much ecological proof of this in many instances all over the world.

I would like to see a continued development of light impact tourism, where you are not going around setting up permanent lodges in the back country, and that sort of thing, but where the area is travelled through and used with minimum impact. I travel a bit, and the more I travel the more aware I am of what a wonderful place we have here, and how aware other people around the world are. You say the word Yukon, and that is a magic word.

I also make slide presentations and do lectures and courses for universities and colleges down in the United States, as well as in Canada, so I have the chance for some feedback and reflection from people as I am doing this sort of thing. They are very aware of what we have here. Though it may be always down the road, I think this is something we should bear in mind and use our resources carefully and in accord with well-thought-out programs in the whole environmental picture.

I was kind of long-winded on that, but it is something that is very near and dear to me.

Ms. Hayden: Thank you. That was very interesting. I am hearing that you feel that what we have is very unique, and

that we should be planning to preserve it.

Mr. Person: Exactly, to use it but use it correctly, then it will renew itself. That is what the term renewable resources is about. If you tamper with some of the basic systems upon which that renewal depends, then you are not going to be getting renewal coming back to the original state. There are so few places in the world today that can be used like an ecological pulse to determine what the world was like prior to industrialization and urbanization, and all the different impacts that are taking place from pole to pole right now. It really concerns me.

Ms. Hayden: Relating it to this, are you saying that you feel that can be best done as a province or as a territory, or are you just saying, whatever the choice, that is what should determine what the choice is?

Mr. Person: I am saying that the base line, regardless of whether it is a territory or a province, has to be this kind of an understanding of what is here and what we have. This is not to say that it is only the animals, the plants and the environment, but the people, as well. This is a unique population here in the Yukon, and I am sure you are all aware of that. Again, the more I travel, the more aware I am of what unusual people are here, and the kind of passionate concern they have for these things. We do not all see it the same way, and I do not expect that, but the people I know are all very concerned with these kinds of values.

I realize that, as a territory, you often get colonial treatment from Ottawa in various respects. We do not have as much command over our destiny in some ways but, by the same token, until we have a non-attritional income base, then I feel that we should go slowly. create jobs. This idea of job creation as being something that takes priority over any other thing that is going on, to me, is very short-sighted.

Ms. Hayden: Would you see some of your beliefs somehow entrenched in what we are as a territory, as policies or whatever?

Mr. Person: Yes. That is something I would like to mention. I do not know if you are aware of the wilderness area policy in the United States.

Ms. Hayden: I have some familiarity with it, but not a lot.

Mr. Person: I was in university at the time, so I took a small part in the movement to create a wilderness area in the boundary water canoe country, which eventually did take place. In the United States, a wilderness area is not an area that is set aside to not be used. It is an area that is in use for hunting, fishing, travel, but it has definite restrictions in terms of heights of airplanes flying over that area. That was a real sore point in the canoe country. It is one on which I can speak personally on the various invasions that happened to me by airplanes.

Logging can take place to within a certain perimeter of this area, and it is really restricted within the area itself. There are definite requirements in terms of pure water. That is another one of the main things. The Yukon has one of the greatest reserves of pure water in the world. When it comes to talking about gold, this is liquid gold which is of far more value than something that you can make ingots out of and support the extraction of the dollar bill, in terms of simply the maintenance of life on earth.

Ms. Hayden: Thank you. We will come back. Does anybody else have anything?

Ms. Schonewille: I had more of a question, or a clarification on something. As a territory, the majority of the land in the territory is Crown land, which is federal land. We do not totally control all this land and resources or what happens to the trees or whatever on it, or minerals. As a province, would we?

Ms. Hayden: The terms of the formation of a province is negotiated. For example, that could be negotiated as part of provincehood, or it could be negotiated as part of being a territory. Once claims are settled, perhaps that is the next part of devolution to look at, the responsibility of land as a resource.

It is not directly tied to provincehood. In some ways, provincehood is probably an abstract theory, as was said over here. On the other hand, it does have to do with the way we govern ourselves, because there is more direct responsibility for more programs, and probably land would be part of that, but it does not have to be a province to have the responsibility for the land.

Mrs. Firth: It would be assumed that, if we were to be treated equally with other provinces, that we would have the responsibility for the resources we do not have now. That would be the land. As the Indian people are negotiating their land claims agreement, they are getting responsibility and control over the surface and subsurface rights. That would be something that Yukoners would be looking at, control in provincial status. We would also be looking at forestry, what remaining jurisdictions we do not have, like health and human resources and some judicial matters.

It would be something that would be negotiated with the federal government, as other provinces did, but things have changed now. According to the constitution, we do not have the luxury of negotiating only with the federal government. There are other provinces now who will have a say whether or not we and the Northwest Territories become provinces. That is written in the constitution, the seven provinces and 50 percent of the population. We have been hearing a lot of objection about that from Yukoners, and that is a fair statement to make.

As Yukoners, and people negotiating on our behalf would take no less a position, that we would be treated on an equal basis, as the provinces have, and that we would be eligible for just as much responsibility and control that the provinces received when they entered provincial status.

Ms. Schonewille: Some of the responsibilities that we have been allowed to take control of, without provincehood, could the federal government take them back?

Ms. Hayden: Where we are now is in a rather colonial position, in terms of the federal government. We are ruled by the *Yukon Act*, which is under the Department of Indian and Northern Affairs. It is quite clear that an act of Parliament could abolish our Legislature. The Minister of Northern Affairs could veto Cabinet or any of the rules or acts, or whatever, that they put in place.

The *Yukon Act* could be amended to entrench the authority of the Yukon Legislature and of its chosen government. There are changes that could be made as a territory, or they would be made if we were a province. At the present time, we are

controlled, in theory at least, by Ottawa. The last time a piece of legislation was vetoed by the Minister of Indian Affairs, through the Commissioner, was in 1982.

Ms. Schonewille: What was that?

Mrs. Firth: The Department of Indian Affairs and Northern Development does not really have the ability to abolish our Legislature, *per se*, but they do have the ability to put us back to the same status as having the Commissioner be the ruler and landlord of the territory, and get rid of our ability to have a Cabinet that is chosen by the majority number of Members elected in the Legislature, and so on.

In 1982, the idea was to somehow ensure, through legislation from the territorial government, that we would have a cabinet and be able to carry on as the other provinces do, and that piece of legislation was vetoed by the Commissioner, who does it by direction of the Minister of Indian Affairs and Northern Development. So, they have the ability to do that with any piece of legislation that the territorial government brings forward.

If we brought forward an environmental act, or lands distribution act, or something they did not agree with, or did not feel we were doing it the way they wanted us to do it, then they could prevent us from passing that piece of legislation and making it law.

We would have to move toward provincial status and have our own constitution, as other provinces do, which would ensure and protect that we had the same powers and abilities as the provinces.

Ms. Schonewille: With regard to laws, do federal acts and laws supersede ours?

Mrs. Firth: It would be the same as the provinces. There are federal laws in the provinces, too. For example, the *National Health Act*, where the provincial governments do not have any ability to interfere with that, any more than we do now as a territory, or would as a province. There are several pieces of legislation like that.

Ms. Chatterton: I think Bernice is on a really important track here. My question is sort of a follow-up. In your judgment, how far do you think we can go toward acquiring all the powers of a province, and protecting ourselves and making sure we have a legislature, control over land, et cetera, without assuming all the heavy responsibilities? I do not say that because I want the Yukon to be a weak-kneed wimp that cannot assume its responsibilities, but because it does not have an economic base and has an extremely small population for its huge area. I do not think it can assume the same responsibilities that a province with bigger populations, et cetera, can assume.

How far do you feel we can go, in the large categories of power and acquisition, toward becoming a province, without stepping over the line? Is it that we have to get to economic? Is the last stumbling block going to be financial, that when we become financially responsible for ourselves, then we will truly be a province?

Mrs. Firth: It is kind of a chicken and egg thing. We cannot become financially independent unless we make the decisions about economic development. If we do not have control over the lands and the forests, and so on, we can only become economically viable to a certain extent, by promoting

tourism, as Dick has spoken about, and light impact tourism and some small business. I do not get the feeling from what we have heard around the territory that people feel that we would be able to become economically viable unless we had more control over the economic development of the territory.

Ms. Chatterton: Can we not go all the way to acquiring to have control, but not take the last step?

Mrs. Firth: That is what we seem to be hearing.

Ms. Chatterton: We ... the federal government to please continue to support us, because we are a little population, but we still want all the powers that everyone else has.

Ms. Hayden: I suppose that is about it.

I do not think we can answer that specifically, because each step is negotiated. So, we negotiate as far as we can go, a step at a time, and attempt to bring resources with it, so that there is the money to administer the program, for example, the health transfer right now.

It would seem to be a step at a time, and who knows. If that is the goal, and that is the decision, then obviously we would take that. As Bea said, we are hearing slow, careful progression, but no leaping off into uncertainty. People do not want to be a have-not province, and they want to be very careful about what happens.

Mr. Person: The business of getting control over lands should not be a two-edged sword. Look at B.C. forests. Look at things like the Old Man Dam, the Rafferty-Alameda Dam, where they contracted to supply water free to the U.S. for 100 years. Water is going to be one of the single greatest issues on the North American continent. It is right now. The U.S. is thirsty, really thirsty. I have been down in the southwest, and I have been down in California, around LA and that whole area through the Sierras, and right on up the coast, even up into the Pacific northwest, and they are freaking out. When you start talking about taking chunks of ice and floating them down there to supply drinking water, they are looking at extremely severe conditions. In large part, they have brought the situation upon themselves.

I have some well-documented information on that, which is not normally the kind of stuff you find in the press. We have a resource here, without ever thinking about digging for gold or copper or lead or zinc, or anything else, that is going to be far in excess of value of anything else that we have. It is scary. It takes very mature politics to keep that stuff in mind, and keep it in the forefront. It is so easy to overlook. Again, it is something that we have to look at a few years ahead, and not very many years ahead.

Ms. Hayden: Does anyone else have a comment?

Mr. McCormick: I have listened very carefully to what was said here tonight, and I would concur with the better majority of it. First of all, I would like to say that it is delightful to see you two ladies here tonight. I think the best man for the job is you two ladies, and I am really glad to see you here. It is nice to see somebody who is actually listening. That is quite a different sort of thing than I am used to, and that is important.

However, in talking about provincial ranking for the territory and things surrounding that, I wonder if it is redundant what we do here tonight. If Quebec goes its own way, there are several major concerns that I have. Number one, will the provinces then say, because Quebec is gone, we must now

expand their territorial borders in order to ensure their continued growth and a bigger base in which to operate on. If that is the case, very clearly what we have to decide here over the next bit of time will not count for a hill of beans, because provincehood will never happen.

Secondly, if we get provincehood on an immediate basis, which is where I feel we should get the name and the title and, then, negotiate over a period of time, as we become able to negotiate, rather than taking on all of the attributes of a so-called province, which we know we cannot do. If we know we have provincehood, *per se*, then we are an established entity, and it would not be possible to take it away from us, except by force, and that would be difficult.

Those are the two concerns that I have. Realistically, one has to balance what those two things mean. One draws one's own conclusions, and I guess yours is as good as mine in those regards.

Talking about the territory and what it means, I have been in every province of Canada, in most of the states, in Europe and in the Far East. I served in Korea with the United Nations forces. I have some depth, but I am here in the Yukon because it is a very special entity. I find, even when people come here, although they are not Yukoners, after a while something happens, and they become Yukoners.

When somebody says to me, what am I? I say, I am a Canadian from the Yukon. That is what I am. The Yukon is my home, and I would not trade it for any place in the world. It is so special to me that I have moved from that big centre, that colonial centre of Whitehorse, not to Teslin, but to the cottage lots down the road from Teslin, because this gets to be a pretty colonial place. I guess it is all in the view of how you look at things.

All I am saying here is that I feel that we have a unique and special place in the world, and I concur 100 percent. The only thing is what we have. I would like to address a philosophical difference by way of party and by way of philosophy. Good or bad, that is not what I am about. I think that what we must do prior to making that move is to say to the feds, this is what we want as a province, *per se*. We must establish a very closed window that says that, irrespective of where we are going, or what party is in power, the constraints are there that say these features will be predominant. We are not going to move into heavy industry; we are not going to move into nuclear; we are going to look at ecology; we are going to look at conservation, *et cetera*. If you have those constraints, then you can have any party, including the communists, running here, as long as they are strait-jacketed into that philosophy for the territory.

If we can do that, then any party can govern successfully and, at the end of the road, 100 or 1,000 years down the road, your great, great, great, great grandchildren will be looking through your eyes at what we see today, and it is one of a kind. If we lose it now, we lose it forever.

Ms. Hayden: That is what I was meaning when I was asking about entrenching this in some way so there is some way of preserving what we have for all those future generations.

Ms. Chatterton: Could we name ourselves the Yukon Wilderness Territory?

Mrs. Firth: The point you raise about the Quebec situa-

tion we heard from many other people, almost to the point where people feel quite helpless about what is going to happen to us because we have no control over what Quebec is going to do. I certainly detected that from the people who have come and made presentations. There is always that fear of extending borders. The options just become absolutely unlimited if Quebec leaves Canada. People say there is the chance of Alaska wanting us. B.C. might want us. What is going to happen to the Northwest Territories? Maybe the whole picture of Canada will change.

We have found it very helpful to find out what people's ideas are, and part of their concerns and anxieties. The point you made that I find interesting is with respect to a Yukon philosophy. I think that is consistent with what Dick and Sharron are saying, as well. We hear that from Yukoners in the context that we have heard that people want land claims settled first, so the Indian people have their house in order, so to speak, with the requests they have been making, and the injustices that have gone on. Then, all Yukoners can work toward provincial status, as opposed to having the Indian people working for land claims, the non-Indian people working for provincial status, and everyone working at cross purposes.

That can be taken one step further, and the message given that, once the land claims are settled, and all Yukon people are looking at provincial status, we all look at it with a Yukon philosophy in mind, as opposed to a political philosophy. I think that will give us a much stronger bargaining position.

Whether that is achievable or not, I do not know, but I think it could be if the demand is made from the people, and the representation that is elected reflects that demand. It is an interesting point that you raise.

Ms. Chatterton: There is a slight problem. There is an advantage of selling the notion of the Yukon as a national treasure to the rest of Canada, in that they might agree and help us look after ourselves. On the other hand, they might decide to look after us for themselves.

Mrs. Firth: We have heard that.

Ms. Chatterton: It could be a difficult problem to walk that tight line.

Ms. Hayden: People say, do not tell the rest of the world.

Mrs. Firth: There was also the concern raised about, do you think the rest of Canada really cares about us here. So, our response was, obviously, they are very interested in us because, in the constitution, it is not the Yukon and the federal government who are going to decide on provincial status. Seven other provinces want to be involved. With the Meech Lake Accord, they tried to change it so that all the other provinces could have a say.

I think the feeling that there is among the population here is that the rest of Canada is very interested in the Yukon because of its tremendous wealth, resource-wise, our water, our minerals, and I do not think the rest of Canada will be giving us up without wanting to be part of the decision making.

Mr. McCormick: That speaks exactly to, and you phrased it really, my concern about the Yukon philosophy and the use of the resources. If possible, to avoid those resources that are non-replenishable, and to deal with the things that we have that are going to be there forever and ever, instead of using them and then they are gone.

It is because of the fact that, number one, we have water. If anybody around this table knows anything about values today, they must understand that, in the next 100 years, water is going to be of more value than diamonds to the southern states, to the world at large, and to the rest of our country. We have an enormous potential here in water. We have to protect it, first for our own selves, and for generations to come.

With respect to our resources in the ground, we talked about that philosophy again. We have to keep in mind all the time that, if we get into that southern mentality of rape and run, then 100 or 200 years down the road, we will have an awful mess here, we will have nothing to leave, and the money will be gone.

I keep coming back again and again. I do not care what happens in the future, because things change so quickly in the world. Who would have thought three years ago about Russia, East Germany, or what is happening in the world in general? It may happen, and it may not happen but, if you are not a master of your own ship, then your destiny is at sea. Here we are, and we have a chance now to become masters of our own destiny, put it in place and, regardless of what happens, at least we will be able to negotiate from a position of strength.

That is where I would like to be, and that is why what we are doing here is valuable.

Ms. Hayden: Are there any comments from other people?

Mr. Person: Another thought I have on this, again looking at the global situation, is that I think that there is no doubt that, within a few short years, sufficient food and water is going to be one of the major issues, both at the grass roots level, as well as political. You cannot have food without water.

In the days of the Gold Rush, when the Klondike basically supplied all its own needs in terms of its vegetable needs, the need is certainly no problem here. We can be one of the few self-sufficient places in the world. I am not saying that we are going to hog it and tell the rest of the world to get lost but, by the same token, just in terms of the survival of the land and the people of the north, and I say that right across the lines of longitude in a circumpolar sense, this is something that has to be looked at very carefully.

When you look at the impact of just desertification on the world today, the deserts are growing at an incredible rate, not only in North America, but in the Sahara. It is happening in all of northern Asia. It is even happening in places like northern Scotland, where it used to be trees and has now gone to grasses. It is really alarming.

You can get off on areas which are not really too relevant. If you compromise those basic things about ... it would be nice to have the human species around for a little bit longer although, I think in some cases, they deserve absolutely what they are getting. It is too bad that we have to be impacted by a lot of things that we have not been instrumental in performing.

Overall, the global picture has to be a part of the concern.

Ms. Hayden: Do others feel that a circumpolar link is important, that we have contact and closer or less close ties with other northern jurisdictions? What is the feeling about that?

Ms. Guevremont: The closer the better.

Mr. Person: I think we could learn much from other countries that are older than we are, Scandinavia for instance and their handling of their area. They have definitely done some right things, because they still have a viable north of 60 area. That says something when you consider how long those countries have been populated.

Ms. Schonewille: I was not thinking so much about the circumpolar issue, but it would appear that we all agree that our natural resources should be protected. Who is best to protect them but Yukoners, the people who live here? It would appear that, if we want absolute control, then it is provincementhood.

Ms. Chatterton: How are we going to pay for provincementhood?

Ms. Schonewille: That was part of the question. What is expected of us, financially, as a province? Do they look at the economic base in the Yukon in determining the funding? Are they going to approve that we are a province and, then, cut our funding in half, or is the funding going to stay the same? If it is, is it going to stay the same as it is now? The problem is financial.

Ms. Hayden: I suspect the big stumbling block is the financial one. That is what we have been hearing around the territory.

Provinces have what are called the equalization payments, as you probably know, where the rich provinces kick in and the poor provinces receive. We receive somewhere between 60 percent and 70 percent of our budget from the federal government, where the poorest province receives 43 percent of their income from the federal government, and that is Newfoundland. As you know, they are not a very wealthy province.

A lot of the equalization payments are based on per capita income. We have a very high per capita income so, on that basis, we would not be eligible for even equalization payments. However, it has been argued that we should negotiate a funding formula similar to what we have. I do not know whether that can be done or not. Certainly, 30,000 people could not pay enough taxes to run a territory. It would be atrocious.

It is a question that I do not have an answer for.

Ms. Schonewille: Is there a unique form of government out there somewhere we could become?

Ms. Chatterton: What is option three?

Ms. Hayden: Is there some unique form we should be looking for? That is the question.

Ms. Chatterton: Have your cake and eat it option.

There has to be one somewhere.

Mrs. Firth: We have been hearing that, first of all, people are very concerned about what would happen to the finances, would we have to pay more taxes. Right now, the financial picture of the Yukon is that it is generally felt that we are treated very generously. We spend about \$365 million a year in the Yukon. As someone in Watson Lake said, that is \$1 million every day, and that is for 30,000. Of that, if we are raising \$60 million, \$70 million or even \$100 million ourselves, we are still being extremely heavily subsidized by the federal government.

Ms. Schonewille: Because we are a territory.

Mrs. Firth: It is because of the formula arrangement that we have, and that has just become very special in the last six years. That was the special formula financing agreement that was signed in 1985. The per capita amount of money that is paid for each Yukoner is \$13,000, compared to \$2,500 for the province that gets the highest per capita payment. That is a huge discrepancy.

We are hearing from people that, if we do start moving gradually to provincial status, we ensure that some kind of arrangement is made with the federal government, or some kind of financial position is negotiated, that would continue to keep us in a healthy financial state, so we would not become a poor, have-not province.

It becomes very complicated because, as you have more responsibilities, as we are going to with devolution, the federal government is going to have to transfer more money for us to run those programs, and we are going to assume more responsibility, and it is going to cost more money. Another message that we are getting very strongly is that people want to see some sound financial management, and want to see us, as the Yukon government, demonstrate that we have some responsible management of our finances, and that we can look after the money that is being given to us now and spend it in a responsible way. So, they are looking for sound fiscal management.

It is something that Joyce and I are hearing a lot. We are not able to express our own opinions on this panel, and we did not want to go around like we were giving you all the answers. We have had a request from people for more information. When the time comes to make the decision about provincial status, they want to make it in the form of a referendum or a plebiscite, where everybody gets to have a say in the Yukon, and they want information so they can make a well-informed decision. This is the kind of information that people are asking for: money, what is our economic position going to be; how will it affect our powers, compared to what they are now; what will we have that we do not have now.

Before the question is put, I think the people in the Yukon have to be given more information as to what exactly provincial status means.

Ms. Hayden: Would you want to see a referendum kind of request?

Mrs. Firth: Everyone nodded.

Ms. Hayden: There would be lots of information first. I do not know what I am talking about in terms of years, whenever that might be.

Mr. McCormick: An interesting thought popped into my head, having to do with land claims settlement and self-government for the native people, et cetera. On the assumption that occurs, and it will hopefully occur sooner than later and, if down the road, we find ourselves in the position where we had a yes vote to go for provincehood, and everybody basically agrees that it is a good thing to do, is there a possibility, because of their self-governing status, as a self-governing nation, within the Yukon Territory, that they could put a brake on that to the courts?

Ms. Hayden: Do you mean the Indian people?

I do not think we could answer that question. You can ask that question, but we cannot answer it. We do not have an

answer to it.

Mr. McCormick: That is exactly why I am asking the question. is it really worthwhile? If it is worthwhile, we should be asking those questions in light of the possibility that every exercise we do is of no value. I am simply saying it is a valid question, and I think the answer should be forthcoming before we get too far down the road.

Mrs. Firth: The way I would respond to that concern, and I am not expressing my opinion, I believe, and Sam can correct me if I am misrepresenting the concern, but I believe that the concern of Indian people was that their land claim be settled before provincial status because of the precedents that have been set in the past in provinces like B.C., who did not recognize the rights of the Indian people to have their claims to land and to their self-government. I suppose we could look at whether or not, without expressing my opinion or coming to any conclusions, the Indian people, since it is sort of a unanimous position of all Yukoners that the land claims be settled before we move to provincial status, that there would be a more positive response on behalf of the Indian people when it came to the total picture of the whole Yukon becoming a province.

Specifically on the ability of the Indian people to take it to court and stop it, I cannot answer. I am sure it would go through several levels of courts, and many lawyers would be involved.

I think there would probably be a more positive approach, because the concern of the Indian people would have been addressed with the settlement of their claims. Am I being fair with that representation, Sam?

Mr. Johnston: I think so. I think that is the way the Indian people look at it. They should settle land claims first. If you are thinking about provincehood at the same time, then there will be something else in the air again. Before the land claims were settled with the B.C. people, B.C. became a province. Now, the Indian people are having a hard time, because it is not written into the constitution. That is why they are saying, settle with us first, before you start thinking provincehood.

Mrs. Firth: It is a good issue that you raise, John. No one has raised it before, so it is a noteworthy comment.

Ms. Hayden: Interestingly enough, in one of the First Nations communities, it was suggested that perhaps one of the things we should be looking at is working through the land claims process toward a greater assumption of powers, or toward provincehood, if you want to call it that.

Participant: Clearly, if we cannot resolve land claims, we sure cannot handle provincehood.

Ms. Hayden: I would say there has been unanimous feelings around the territory that land claims be settled, and that kind of good, positive feeling.

Mrs. Firth: We are hearing it from all over, from Whitehorse and all the communities.

Ms. Chatterton: So, the First Nations people do not have a policy on provincehood versus territorial status, beyond the point of, let us settle land claims first?

Mrs. Firth: I think the concern was that British Columbia was a province, and other provinces, did not recognize the Indian land claims.

Ms. Chatterton: I just wondered if there was any other policy.

Ms. Hayden: Not that I am aware of.

Are there any other comments?

Ms. Guevremont: I have the feeling that, by the time land claims are settled, and the Yukon is ready to make up its mind, Quebec will probably be separated and Canada will say, what are we going to do next? Then, the Maritimes are going to have this same question that we are asking now, and B.C. will look at us and say, do you want to come down with us. Everything is going to happen at the same time, and we will all have to decide if we want to separate or stay together, at that time. It seems that, right now, it is too soon.

Ms. Chatterton: Maybe the first steps we should be taking are to ensure that we can determine our own future, whether or not it is a province or a territory, but that no one else can determine it for us. Otherwise, we do have the problem, if Quebec separates, and B.C. says, please join us. We might not have an option. If we do not have any power to say yes to provincehood, we do not have any power to say no to being taken up by another province, either.

Rev. Ayland: Does that not mean, the way I look at it that, as a territory, we are automatically in the major jurisdiction of the federal government. Therefore, if a provincial government comes along, like B.C., and wants to swallow us up, they would have to go through Ottawa, which is not very likely.

Ms. Chatterton: They can say yes, though.

Ms. Guevremont: We could say yes.

Ms. Chatterton: We are expensive to maintain. Maybe they would like to give us away.

Ms. Guevremont: Maybe the Yukon would like to join B.C., or join the Territories, or join the prairies. At that time, Canada will be in parts, separated. One part is here, and one part is there, and then we have us to the side. Are we going to stand by ourselves? Who are we going to join? It could happen. We do not know yet.

Ms. McCormick: I was just listening to everyone's comments, and I was just wondering what protection does the territory have, at the present time, to prevent being swallowed up or given away by the feds? What do we have that says, except we the people get together and say no, we are not going? What do we have in place? Is there anything that protects us?

Ms. Hayden: As far as I am aware, whatever there is in the *Yukon Act*, which is not a lot in terms of self-government, and some very loud voices. Patrick, are you aware of anything in our legislation that would prevent the federal government from giving us away?

Mr. Michael: It is an interesting way of turning it around. Right now, if there was an agreement for a province to move north, they would have to satisfy the "7 and 50", which is seven provinces that have 50 percent of the population. I do not think the feds could up and do that. For any expansion of provincial boundaries into the territory, it would still require the "7 and 50", since 1982.

Ms. Hayden: So, that "7 and 50" might be to our advantage, in preventing us being taken over, as it could be a disadvantage if we wanted to become a province. It could be turned around into being an advantage if someone were lusting after our territory.

Mrs. Firth: It is still the federal government that would

be putting us up to bid to the higher bidder, though. As Yukoners, we would not have a lot to say about that. It would be the federal government and seven provinces and 50 percent of the population.

My immediate reaction to your question was that we would not have any choice.

Ms. McCormick: I was thinking, if Quebec were to separate, that cuts off the Atlantic provinces. Therefore, you have Ontario, Manitoba, Saskatchewan, Alberta and British Columbia, but what happens then?

Mrs. Firth: The Northwest Territories could very well be in the same position. All I have to do is have that echo in my ears of some politicians federally referring to us here in the Yukon as "Canada lands". As a Yukoner, I think you would feel that you had very little control, if that kind of attitude were there.

John raised the issue about Quebec, too. We talked about all kinds of options presenting themselves, if that should happen, and it would have an impact on all of Canada.

Ms. Guevremont: Exactly, because then Ontario could go off by itself, and the Prairies together, and then B.C. would have to look up and say, what do I do?

Ms. Hayden: Or they will look south.

Mrs. Firth: For Ontario to be viable, it may become more dependent on western Canada, too, if Quebec was not there any more. There are some interesting theories people have about what would happen if Quebec left.

Mr. McCormick: Economics will decide what occurs. Quebec and Ontario most likely will revert to the old Upper and Lower Canada concept and become one conglomerate. That way, they can milk the west and they can milk the east, and they can play to themselves and play to the world. There we are, in the Yukon, with our ... hanging out all over the place and everybody after us.

Ms. Hayden: That is a very succinct way of putting it.

Mrs. Firth: Frank, you have been awfully quiet tonight. Are you getting upset with all this talk?

Mr. Saligo: I do not know. You kicked me two times. I have nothing to say.

Ms. Chatterton: Can I get back to something that Bernice put up and was not resolved? She asked what I thought was a sensible question. She asked, what economic base do we have to prove ourselves to have, or on what basis will Ottawa decide to feed us or not feed us after we become a province? Are they going to go out and say, how many mines do you have? Do they go out and count our wealth? Is that what they did with Saskatchewan and Alberta, before they became provinces?

Ms. Hayden: It was a negotiated process. Presumably, our government would negotiate with the federal government terms of provincehood, just as it was in the other provinces. Some had surface rights; some had other rights, but it was negotiated at the time.

Population numbers did not seem to be an issue at the time, nor did income appear to be an issue. As I understand it, it was more of a political issue.

Ms. Chatterton: So, technically, on precedent, we could be a desert and have no resources whatsoever, and they can still say, here you are, look after yourselves.

Ms. Hayden: Presumably, or they could say, we will provide whatever kind of funding. I am saying that the whole thing is negotiable.

Ms. Chatterton: So, what I wanted to know is, there is no precedent for them looking at us and saying, you are an extremely materially wealthy province, with lots of minerals, and whatever. You want to be a province, then be a province, and you look after yourselves.

Ms. Hayden: I expect they would try to do that, but it would be a bargaining thing. I am not sure what we have as a bargaining chip, that is all.

Mrs. Firth: One of the interesting presentations that came forward in Whitehorse was from a gentleman named Steve Smyth, who does some lecturing at the college about constitutional development. He talked a great deal about economic viability. I think the federal government has a pretty good idea about our potential to raise revenue here, because they have been receiving the revenues from our mines, and so on. They know what our ability is to support ourselves.

He also spoke quite a bit about revenue that we had lost that we did not know about. Although the federal government is very generous and gives us a couple hundred million dollars a year to help keep us in a lifestyle to which we have become accustomed, we have no idea of what potential revenue there was that we have lost in all the many years that the federal government had been receiving the revenues from our natural resources.

It raises a lot of thought. It is another point of view.

Ms. Chatterton: So, if they open the books, we might discover that we can already support ourselves in the lifestyle we are used to.

Mrs. Firth: That is right. That is a conclusion you could draw.

Ms. Chatterton: It is an item for provincehood, without tearing the Yukon apart.

Mrs. Firth: I can remember back when the Faro mine was in full swing. The revenues that were going to the federal government at that time were extremely high, in a time when our budget was not nearly what it is now. So, the potential is there, just from one extremely active mine.

His presentation was interesting and did raise a lot of question and thought.

Ms. Hayden: The temptation, I suspect, in becoming self-supporting would be to go toward more of the resource development that produce taxes or whatever. I would think there would be the temptation toward that.

Mr. Person: I have been down to Watson Lake just recently, and things are pretty bad when you see what has happened to all that fine timber. The impact on the environment will never ...

Ms. Hayden: There are some, although few, presenters in the territory who have seen such things as trees and owning in an economic sense. We have heard that, that they should be exploited as either pulp or whatever.

Mr. Person: When you think that, under present modern logging conditions, only 15 percent to 20 percent of what is cut on the land becomes usable lumber, just that figure alone is amazing that we can go ahead and then create the impact on our water resource that represents. You do not have to be a

graduate ecologist to deduce why B.C. is in such a terrible state of flood, et cetera. All you have to do is look at the hinterland and see what has happened there. When you fly between Vancouver and the Yukon, it is appalling when you look down. We cannot afford to have it happen.

I would just as soon see logging absolutely stopped ... except for maybe some small local mills and that sort of thing, or as supplying building logs or whatever to municipalities. In terms of any major amount coming out, and when you take a look at where the big companies are going, where is the pulp going? It is going overseas. It is going to the Pacific Rim. There is no return to the country from which it comes and which is being severely compromised in order to produce that.

Ms. Hayden: Do people have a sense of how we should communicate our views to the rest of the country, or should we? It has been expressed by you and by others that we do not know what the country is going to be like, but we can assume that there will be some mix of provinces and federal government.

Do you see us doing that through some kind of constitutional conference, or through our Legislature? We talked about a referendum for a decision, but how do we best communicate our views to the rest of the country? Do any of you have any sense of how we can put across our beliefs and goals and what we want to be to the rest of the country, and do it effectively?

Ms. Chatterton: I have one comment I would like to make, which is that, if we decide we want to be heard, rather than remain anonymous and quiet and stay behind the stockade, we should speak directly to the people of the other provinces. We should not get hung up on intergovernmental committees, because we will be a minor news item and never make up. We will be a two second flash on one night of the week in one year. The Yukon is probably not a big issue in the lives of almost anybody ... So, I think we have to talk directly to newspapers and radio stations, so we become a news item just by being vociferous directly to the other people in the provinces, but not the other governments in the provinces, although we would have to do some of that. The first big push should be directly to other people.

Mr. McCormick: I have a funny bone, and it really gets tickled. Just to carry on with what Sharron had to say, and I concur with that, looking at the present world situation, I think we all recognize that violence does pay off. So, here is my suggestion.

I suggest that King Tony threatens the rest of Canada and he gets a .303 and goes out to the border and challenges the first federal authority and says, we are at war. He then immediately fires one round into the air, and then surrenders and asks for the ... plan that helped I thought that was a marvellous technique, why can we not use that?

Ms. Hayden: You are right. It is.

I am sure, in some ways, we could talk all night about it, because it does matter. Perhaps we can wrap it up. I thank you all for coming. It is very impressive when people come with very strong feelings, concern and commitment to what happens to our territory. I thank you.

Applause

Adjourned at 9:00 p.m.



Yukon Legislative Assembly
27th Legislature

**Select Committee on
Constitutional Development**
PROCEEDINGS

**Gold Rush Inn, Whitehorse
Wednesday, March 13, 1991 — 7:30 p.m.**



PRINTED ON RECYCLED PAPER

SELECT COMMITTEE ON CONSTITUTIONAL DEVELOPMENT

The Select Committee on Constitutional Development was created by the following motion of the Yukon Legislative Assembly on May 14, 1990:

THAT a Select Committee on Constitutional Development be established;
THAT the Committee be comprised of two Members of the Legislative Assembly, one to be appointed by the Premier and one to be appointed by the Leader of the Official Opposition;
THAT the Green Paper on Constitutional Development be referred to the Committee;
THAT the Committee receive the views and opinions of Yukon citizens on the Green Paper, and present a record and interpretation of such views and opinions to this Assembly;
THAT the Committee hold public hearings on the Green Paper in Whitehorse and at least one community in each of the electoral districts outside Whitehorse;
THAT the Committee invite oral and written representations on the Green Paper from residents of the Yukon and, where appropriate, from individuals and groups outside the Yukon;
THAT the Committee report to the Legislative Assembly no later than the 1991 Spring sitting of the 27th Legislature; and
THAT the Clerk of the Legislative Assembly be responsible for providing the necessary support services to the Committee.

MEMBERS OF THE SELECT COMMITTEE

Hon. Joyce Hayden, M.L.A., Whitehorse South Centre
Bea Firth, M.L.A., Whitehorse Riverdale South

STAFF

Patrick Michael, Clerk of the Assembly
Missy Follwell, Clerk Assistant

PARTICIPANTS

at the Whitehorse Meeting of March 13, 1991

Brideau, Omer	McDougall, Gill
Carlyle, Larry	Matthews, Clayton
Duncan, Pat (Manager, Whitehorse Chamber of Commerce)	Olsen, Pat (President, Yukon Council on Aging)
Loverin, Gord (Director, Whitehorse Chamber of Commerce)	Smyth, Steve

WHITEHORSE, YUKON

March 13, 1991 — 7:30 p.m.

Ms. Hayden: Hello, everyone. We can see how high this issue is on the list of importance in people's lives. We did not expect to have a lot of people, because that has been the norm in our travels around the territory, although I will say that the turnout in the communities is generally higher than in Whitehorse.

As some of you know, and I will go over the introduction, Bea Firth is the other Member of the Committee, and I am Joyce Hayden. We were appointed last year by the Yukon Legislature to the Select Committee on Constitutional Development. Our instructions were to travel around the territory to every constituency to hear people's opinions on constitutional development in the Yukon, and to ask questions related to the green paper on constitutional development.

What that generally has meant is that we have asked for people's opinions on where they think we should be in terms of constitutional development; whether we are doing okay as a territory; whether we should be increasing momentum in taking over programs or negotiating new programs from the federal government; or whether we should be pushing toward provincehood. We are instructed to report back to the Legislature this spring. We are taping all our meetings and, from what you and other Yukoners have told us, we will develop a report and present it to the Legislature in the spring.

Then, it is up to the Legislature and the government what they do with that report. Our job will be finished. Our last meeting is April 2, and we will have been around the territory to every constituency at that time, and to almost every community.

The logistical things for the meeting are, as I have told you, that it is being taped. We have two presenters at least here tonight, and I will ask them to make their presentations. We may have some questions and, then, we will have an open discussion. You may wish to make comments, or we may have questions of the group as a whole.

Bea, have I forgotten anything?

Mrs. Firth: I do not think so. I want to welcome everyone who has come, and we look forward to hearing what they have to say.

Ms. Hayden: The Council on Aging is here, and they have a presentation. I would ask you to come up to this microphone and tell us what you have to say, and thank you for coming to make that presentation.

Mr. Olsen: First of all, good evening Madam Chairman and Mrs. Firth. It is quite an unexpected pleasure to be able to sit down and talk to people face to face. It is not often that we get a chance to do this, especially since reading through the green paper report, we felt that we should, being senior citizens and seniors of the territory, that we should have a little say, or try and bring our words to you to ... constitutional development.

What is it, and how does it work? Is it the government talking and listening to the people, or government plans forced on the people? Is this constitutional development? The first question is, are we happy with the way things are done in the

Yukon with our present government and, also, with the past government? That is a hard question to answer, as we in the Yukon have been blessed that all governments have deferred to the wishes of the people, and life has been good to us in the last 30 years or so.

At the moment, it scares me. It makes me sit up and take notice as to where the government is going today. First, before we can even talk constitutional reform, must we not settle land claims? What does this mean to the Yukon? From where I sit, and to many others, it looks as if we are making an apartheid territory. Please tell me that I am wrong, that there will not be two levels of government in the Yukon Territory: separate laws, separate schools, separate hospitals in the territory, and that everyone will be free to walk on every land, fish in every lake, boat on any river, camp where you want in the Yukon, except on private property, of course. Is this the way the land will be after land claims? If it is not this way, which way should it be? One vote for all Yukoners, one law for all Yukoners. Is this not a democratic government of the people, for the people, by the people?

That brings up the next point that makes me kind of worried. It is the electoral boundaries of the Yukon. They are very much out of line. There should be a change now, and a commitment from the government to do this before the next election. The whole rule of democracy is that all votes should be equal: one person, one vote, and the majority rules.

In a democratic society, does not the majority rule? The way things are done in the Yukon, the minority rules. This is against all decent rules of government. People around the world are fighting this. Is not this government banning the products to the Yukon from a country that is ruled this way? Out of their own teachings, should not this be changed now?

I feel, and so do many more, that the number one priority of this government is to have electoral boundaries changed now so that, after the next election, it will be a true government from the voice of the democratic election.

Given the present population growth of the territory, I feel as long as we have a strong government in Ottawa, we should stay as a territory but, given the political feelings in the country right now, who knows where we will end up? Maybe we will be pawns played off against B.C. and Alberta, so they will stay in Canada as we know it today. The lower half of the territory will be given to B.C., and the other upper half will be given to Alberta, just to make them stay in Canada. If things get out of hand in Ottawa, this could happen, just to please the west.

In closing, I feel the timing of this meeting is too soon, as land claims should be settled first. Then, all of us will know where we stand before any thought of government constitutional reform is given, as who knows what we will have to talk about, as far as government controls go. One half of the populace will be self-ruled, and the other half of the populace from Ottawa. If the electoral boundaries are not changed, could not the election be called a foul? Think of the cost to the taxpayers who have to do it all over again.

I do not think I spoke too much on political reform or constitutional reform. I feel, and a lot of us feel the same way, that things in this country are in quite a turmoil right now. We do not know what is happening back east in Ottawa. I do not think things are out of control. It is a truly elected government