



# The Yukon Legislative Assembly

---

Number 21

10th Session

23rd Legislature

---

Debates and Proceedings

**Thursday, April 27, 1978**

Speaker: The Honourable Donald Taylor

Published under the authority of the Speaker of the Legislative Assembly by the Queen's Printer for Yukon.

**Whitehorse, Yukon Territory**  
**Thursday, April 27, 1978**

**Mr. Speaker:** I will now call the House to order.  
 We will proceed at this time with Morning Prayers.

*Prayers*

**Mr. Speaker:** Before proceeding with Orders of the Day this morning, it is with a great deal of pleasure that I draw the attention of all Honourable Members to the presence in the Speaker's Gallery this morning, of several distinguished parliamentarians from the Legislative Assembly of Alberta.

Our visitors have travelled to Yukon as representatives of the Commonwealth Parliamentary Association Branch of that great province. These visiting MLA's include: Dr. Walter Buck, representing the constituency of Cloverbar; Les Young, representing the constituency of Edmonton Jasper Place; Don Hansen, representing the constituency of Bonneyville; Charlie Stuart, representing the constituency of Wainwright; and George Wolstenholme, representing the constituency of Highwood.

I am sure that all Members would join me in extending to our distinguished visitors a very warm welcome to Yukon and to these Chambers today.

*Applause*

**Mr. Speaker:** We will proceed at this time to the Order Paper.

#### ROUTINE PROCEEDINGS

**Mr. Speaker:** Are there any Documents for Tabling?

#### TABLING OF DOCUMENTS

**Hon. Mr. Hibberd:** Mr. Speaker, I have for tabling this morning a letter from the Alberta Workmens' Compensation Board, regarding guides and outfitters.

**Hon. Mrs. Whyard:** Mr. Speaker, I have for tabling a report entitled "Programs for Pioneers, Cost and Delivery", prepared by the Economic Research and Planning Unit, Government of Yukon.

**Mr. Speaker:** Are there any further documents for tabling?

Are there any Reports of Committees? Petitions? Introduction of Bills? Notices of Motion for the Production of Papers? Notices of Motion or Resolution?

Are there any Statements by Ministers?

#### STATEMENTS BY MINISTERS

**Hon. Mr. Hibberd:** Mr. Speaker, I would like to take this opportunity to briefly outline for Members, the recent thoughts and plans concerning the very important area of Territorial parks, campgrounds, and historic sites.

This program has been an ongoing function of YTG since 1972, transferring from the Department of Highways and Public Works to the Department of Tourism and Conservation in 1973, and then to the Department of Renewable Resources in 1977.

The concept of a Territorial parks system first surfaced in 1968 when a cursory survey of the Territory was conducted by the Department of Indian Affairs and Northern Development to determine areas considered to have prime outdoor recreational potential. However, it was not until 1972 that the Territorial Government instructed the Tourism and Information Branch to commence planning and establish a Parks program. In that year the Yukon Territorial Government assumed control of the Yukon campground system, formerly managed by the Yukon Forest Service, and applied for land reservations on a number of areas throughout the Territory to form the basis of

a future parks system.

Funding for additional planning was located in 1974 and several reports dealing with Territorial Historic Sites and the establishment of a Parks system were completed. A park planner was permanently appointed late in that year. Since then, efforts have centred around providing adequate maintenance for campgrounds and providing a sound planning base upon which to establish an overall physical program for parks and historic resources in the Territory.

Unfortunately, an adequate program has failed to materialize largely due to the magnitude of the job and budget restrictions. Nevertheless, we are, or should be, on the threshold of embarking upon a major thrust in this area. Let me assure you that a program of this nature is not to be considered as a frill of the Yukon Government, but a very necessary and almost urgent task in the light of the development pressures facing Yukon today.

In the past, the demands placed upon our natural resources in the out-of-doors has been seemingly minute. With a vast land area and a small population base, we have thought we have been able, in our outdoor recreational pursuits, to use the natural resources without fear of ever exploiting what has become known as our inalienable rights.

Indeed, in a recent survey, "Outdoor Recreation in Yukon", tabled in this House, it was shown: "Yukoners taking advantage of their vast and unspoiled natural environment participate in outdoor recreation much more often than most other Canadians".

However, there is now a growing awareness among Yukoners that the need to protect and conserve certain tracts of Territorial lands and unique natural and historic features from development pressures and over exploitation.

The infrastructure society in Yukon in 1978 is undoubtedly more complex than it was in 1898, when the first major exploitation of our natural resources began. Similarly, our demands on our natural resource base are infinitely greater, but basic human nature has not changed in the past 80 years.

Once man satisfies his basic needs, such as food and shelter, he seeks to balance his working hours with leisure time. He seeks many forms of outdoor recreation to satisfy his own physical, mental and emotional wellbeing.

If facilities are provided to accommodate these needs, the outdoor recreation enthusiast is quick to take advantage and use them in a socially acceptable manner. Lack of facilities normally leads to what has been termed a *laissez faire* attitude, where outdoor recreation participants do their own thing wherever they happen to be at that time.

This type of participation in the out of doors can only lead to the eventual deterioration of the natural environment. A marked increase in users can only speed up this destruction process.

Government must assume the responsibility to ensure that our natural resources are maintained for future generations of Yukoners. This may be accomplished in one way through the provision of good facilities, services, location and access to outdoor recreation opportunities.

The parks, historic resources, and outdoor recreation program in the Yukon at the present time, however, consists of solely outdated, overused, and tourist oriented system of campgrounds. A rapid increase in use or diversification in demand would damage the existing system and potential outdoor recreation areas beyond repair. Furthermore, the absence of enabling legislation, policies, directives, and the present outdated regulations only serve to compound the problems and issues which the managers in this Government program are attempting to resolve.

Through the establishment of a system of parks, historic sites, campgrounds and similar outdoor recreation facilities, it

may be possible to retain and conserve some of the natural and historic resources of the Yukon. Within this context, I propose to establish a Parks and Historic Resources Branch within the Department of Renewable Resources. A definitive set of branch objectives prefaced by the overall goal of providing a broad range of outdoor recreational and educational opportunities and conserving unique and representative aspects of Yukon's historic and cultural heritage for the benefit of Yukon residents and visitors will be established.

New legislation dealing with the Territorial parks and amendments to both strengthen and broaden the base and the scope of the existing *Historic Sites and Monuments Ordinance* will be introduced for the consideration and approval of Members at the Fall (1978) Session.

An aggressive research and planning component is the most important aspect of the program at this stage of development, and I propose to strengthen this area to allow for the proper outdoor recreation inventories, analyses, and assessments required for rational decision making. From this process, development policies will be formulated which meet the overall conservation goals and objectives, as well as to ensure the economic well being of the Territory through integrated use of these areas.

The development of co-operative and co-ordinated projects with other groups and agencies will be of immediate concern.

The existing outdoor recreation system, comprised mainly of campgrounds, will be upgraded, expanded and rehabilitated to an adopted standard of architectural and landscape design principles.

Our operation and maintenance capabilities must and will correspond with the number of areas requiring maintenance. As we have seen in our existing system, the best and most functional site can soon be overused and be dangerous and an eyesore without proper maintenance.

Mr. Speaker, the above will, I hope impart some of the overall philosophy within which we plan to approach outdoor recreation management in Yukon.

In closing, I would like to point out that Yukon remains the last area in Canada, and perhaps in North America, without an organized system of parks and outdoor recreation areas, and the time has come to do something about it.

**Mr. Speaker:** Are there any further Statements by Ministers?

**Hon. Mr. Hibberd:** Mr. Speaker, I would like to make a comment regarding the northern Yukon and the projected Wilderness Park proposal.

I would like to bring Members up to date regarding the Wilderness Parks proposal in northern Yukon, in light of recent announcements by the Minister of Indian and Northern Affairs, concerning their progress in this area.

As I indicated in the House previously, the Yukon Government has not been extensively consulted regarding the proposal and any input or advice by YTG officials has apparently been largely ignored to date.

Our initial reaction to this proposal was not so much concerned with the concept of a national or wilderness park, but serious concern over the ad hoc and piecemeal approach to the ultimate disposition of the very important renewable resource base in northern Yukon.

Members are aware that YTG is responsible for the management of game in Yukon, and in particular, the Porcupine caribou herd. This is an extremely important herd of international and inter-territorial concern, perhaps one of the last large free-ranging and unmanaged herds in the world. The range of this population covers many thousands of square miles, from the northern coast in Alaska and Canada, to the southern reaches of the Dempster Highway.

YTG has only limited ability to protect the caribou and other wildlife under present federal land use regulations. This legislation is oriented primarily towards non-renewable resource extraction and not overall land use planning.

Furthermore, YTG plays an advisory role only, in the application of the legislation.

One of our major concerns is the possibility of dealing with only portions of the range of this population, at one time, and further fragmenting the management responsibility, such as may happen with the northern national park or other land alienation.

The Yukon Territorial Government also has clear jurisdictional authority to manage the Dempster Highway, which bisects the range of the Porcupine caribou herd.

Whereas the Yukon Territorial Government has established a working group to prepare a Dempster Highway management plan, and has requested the joint involvement of the Northwest Territories officials in formulating this plan, we are equally concerned with dealing with this one small portion of the caribou range in isolation.

There is a clear and urgent need for an overall and detailed land use planning process in northern Yukon, as it relates to the caribou management throughout the total range, and to other non-conforming uses of renewable resources. The management of the Dempster Highway must form an integral part of this plan and the plan must also have the capability to deal with where and how non-renewable resources will be used.

The Yukon Territorial Government has made this position clear to the Minister through correspondence and through meetings with the Northern Yukon Conservation Planning Task Force. Further representation will be made urging that no land withdrawals occur without a definite plan and funding commitment to investigate and analyse the broad spectrum of total resource management in northern Yukon.

We feel strongly and will urge that YTG take the lead role in this regard, or at least be given equal status in this planning process.

**Mr. Speaker:** Are there any further Statements by Ministers? We will now proceed then to the Question Period, have you any questions.

## QUESTION PERIOD

**Hon. Mr. Lang:** Mr. Speaker, I have for tabling an answer to a question asked by Mr. Berger concerning Cassiar Asbestos moving their operations from Whitehorse to BC.

**Hon. Mr. McKinnon:** Mr. Speaker, I would like to table the answers to a question asked by Mr. Fleming on April 24th concerning gravel for Yukon residents and a question asked by Mr. Berger on April 25th regarding meetings being organized by the Government of Alaska concerning railroads.

**Hon. Mrs. Whyard:** Mr. Speaker, I would like to table the answer to a question asked by Ms Millard on April 24th regarding optometric examinations.

**Hon. Mr. Hibberd:** Mr. Speaker, I have for tabling Legislative Returns in response to an oral question asked by Members regarding the closure of the Clinton Creek Mine, and an oral question asked by Mr. Berger on April 20th regarding briefs submitted to the Executive Committee concerning telephone operations in Yukon.

## Question re: NCPC Debt Write-off

**Mrs. Watson:** Mr. Speaker, I have a question for the Commissioner this morning. In view of the fact that it is rumoured, with some substantiation I presume, that the Federal Government will be making concessions to the NCPC with a possible write-off of the Aishihik overrun, my question this morning is: if in fact the Federal Government does accommodate NCPC for the debt overruns of the Aishihik Project, is this Government prepared to take steps that will ensure

that all users of electrical energy in Yukon will benefit from this grant of public funds and not just the users of the electrical energy generated and/or distributed by the NCPC Company?

**Mr. Commissioner:** Mr. Speaker, certainly any relief provided to a major supplier of energy in the Yukon should be for all Yukoners and we would certainly look at every way possible to ensure that this does happen.

**Question re: Carcross Bridge Approaches**

**Mr. Fleming:** Mr. Speaker, a question for the Minister of Local Government this morning. There has been some concern by the Carcross residents, as the Minister knows, for some time as to the approaches to the new bridge that is proposed there. As it gets closer to the possible construction of it, they are wondering, still wondering, if the approach, especially from the north, will be widened and straightened out? If it is, there is an absolute necessity for the Government, of course, to get land from private entrepreneurs that have it there. Is there anything new in this respect, Mr. Minister?

**Hon. Mr. McKinnon:** At Carcross or Tagish, Mr. Speaker.

**Mr. Fleming:** Carcross.

**Hon. Mr. McKinnon:** Mr. Speaker, we looked at the feasibility of a new bridge site with new approaches and the problems that you get into with Indian land, private land, the whole gamut of different land problems, the Environment Canada, all of the environmental agencies because of the nesting of the swans in that area, all of these just dictated by putting the bridge and the approaches exactly where they are at the present time. I guarantee the Honourable Member, if we had have gone any other way, that ten years down the line we would still be debating in this House whether we could get a new structure at Tagish or not.

It is just a can of worms that you do not even want to lift the lid on, Mr. Speaker.

**Mr. Speaker:** Supplementary from the Honourable Member from Hootalinqua.

**Mr. Fleming:** Supplementary, Mr. Speaker, I think the Minister has explained very well the location of the bridge, but my concern is actually the north entrance to the bridge and the approaches to the bridge because this, at the time, and the Minister knows that at the time there is a very, very sharp curve there to get on to the bridge. The residents expect that somehow there is a very good likelihood of them having to give up some land somewhere to rectify that when the bridge is put in that area.

Will this be the case?

**Hon. Mr. McKinnon:** Mr. Speaker, if residents of Tagish want to give up land to the Government of Yukon so that they can straighten out the curve in the approach, we would be the most gracious recipients of such a public spirited action, Mr. Speaker.

**Mr. Speaker:** A final supplementary from the Honourable Member from Hootalinqua.

**Mr. Fleming:** Yes, Mr. Speaker, supplementary, will the right-of-way be changed at the north end of the bridge, the approach?

**Hon. Mr. McKinnon:** Mr. Speaker, there are no plans in the present design in approaches to the bridge to change the location of the bridge or the approaches. It was, in one design, indicated that it would be advantageous to do so. When we got in to the total problems of dealing with bridge and approach relocation, we decided to leave things as they are, Mr. Speaker, and it certainly has the advantage of slowing people down in the approach to the bridge, at any rate.

**Question re: Remedial Tutor Program**

**Ms Millard:** Mr. Speaker, questions for the Minister of Education concerning the remedial tutor program: could he tell the House how far along the transfer from the control of the

Yukon Native Brotherhood is to the control of the YTG? Is the Management Committee formed, which was proposed, and are we assured of funding in future years for this program, under YTG?

**Hon. Mr. Lang:** Mr. Speaker, the transfer of the administration of the remedial tutor program has, to my understanding, has gone very well. Most of the remedial tutors have signed contracts with the Government of the Yukon Territory and it is my understanding that they were having a workshop yesterday, with the educators, on the classroom techniques and this type of thing and, at the same time, explain just exactly what the transfer entailed.

As far as the Management Committee is concerned, Mr. Speaker, we have not progressed very far with this. I have about a two inch thick file in respect to asking for the comments of the Yukon Native Brotherhood and other people interested in this area. It would appear at the present time they do not want to pursue this concept.

As far as for the monies being made available for the Remedial Tutor Program, that is just like any other budgetary process within the Government. It is a decision that will be made every budget session.

**Ms Millard:** Mr. Speaker, on the Management Committee, has any consideration been given to allowing native groups some kind of majority on the Committee or some kind of real administrative input, or is that idea being rejected by the Department?

**Hon. Mr. Lang:** Mr. Speaker, the concept of the Management Committee was to get representatives from the native organizations to be involved with the Department of Education. I was not looking at it from a majority situation or a minority situation, it was a case of trying to bring the two parties together and we did leave the various options open trying to get ideas from the Native Brotherhood of exactly how they would envisage a Management Committee working. To my knowledge, to this date, we have received nothing constructive or positive in that direction.

**Question re: Department of Renewable Resources/Additional Man Year**

**Mrs. Watson:** Mr. Speaker, I have a question for the Minister of Consumer and Corporate Affairs. This morning the Minister announced the formation of a new Branch of the Department of Renewable Resources. Is it the intention, does this announcement also carry with it a commitment to an additional man year for the fiscal year of 1978-79?

**Hon. Mr. Hibberd:** Mr. Speaker, I would like to be able to say yes, but the answer is no.

**Mr. Speaker:** Are there any further questions?

**Question re: Indian Education**

**Ms Millard:** Mr. Speaker, a further question to the Minister of Education concerning Indian education. It has been learned pretty informally, but also by good resources, that the Federal Government is not going to be funding the Indian Language Program. I am wondering if the Department of Education or one of the other Executive Committee Members would tell me if this program is going to be instituted through the YTG, or is it going to be let by?

**Hon. Mr. Lang:** Mr. Speaker, I have heard rumours to that effect that monies may not be forthcoming to the CYI to continue their linguistic study. I have had no official word in this respect. I understand the amount of monies that they were requesting was a great deal, in the area of about \$120,000, as opposed to what it was three years ago, I believe in the area of \$25,000. So it gives an indication of the magnitude of the funds that have been requested.

I really cannot comment, Mr. Speaker, until officially we have heard from the Government of Canada in respect to that

particular area. I do know that in respect to the working capital that the Government of the Yukon presently has, that monies of that magnitude, it would be very questionable whether or not we could find it.

**Mr. Speaker:** Supplementary from the Honourable Member from Ogilvie.

**Ms Millard:** Supplementary, is the Department considering reducing that budget so that it is a workable amount? What my question really is is the Government of Yukon seriously considering having that program one way or another within the Territory, or is it going to allow it to die simply because the Federal government cannot find the funding, because I feel that it is a very necessary program—

**Mr. Speaker:** Order, please, could the Honourable Member kindly state the question.

**Ms Millard:** Is the YTG going to commit itself to having this program continue in Yukon? That decision can be made now, Mr. Speaker.

**Hon. Mr. Lang:** Mr. Speaker, I can make no commitment of this nature. There has been no request come to this Government, we have had no word from the Federal government in respect to what their position is. Therefore, I am in no position, Mr. Speaker, to make any commitment of any kind or comment any further on the subject until I get more information.

**Hon. Mrs. Whyard:** It is not our program, at the present.

**Mr. Speaker:** Are there any further questions?

#### **Question re: Riverdale Proposed Elementary School Survey**

**Mr. Lengerke:** Mr. Speaker, I have an easy question for the Minister of Education this morning. It is with respect to the survey, the door to door survey, in regard to the new elementary school, proposed elementary school for Riverdale. Has the survey been completed and when do you expect to know the results and when do you expect to get the results out to the public?

The other part of that question is, is the Selkirk Street gymnasium, is the construction of that particular facility on schedule and do you expect that facility to be in use for the fall opening of the school?

**Hon. Mr. Lang:** Mr. Speaker, to my knowledge, the survey has not been completed. It should be completed in the very near future.

At the same time, depending on the success of the questionnaires that were sent out, the Department of Education is looking at possibly doing a survey in the Porter Creek area as well, to give us some statistical data.

In respect to the Selkirk Street School gymnasium, to my knowledge, it is on schedule and should be completed for the forthcoming school year.

#### **Question re: Indian Education (Cont.)**

**Mrs. Watson:** Mr. Speaker, supplementary to the linguistic program, to the Minister of Education: is this Government prepared to recommend that the linguistic studies program be transferred to the YNB, the Yukon Native Brotherhood, for administration and, in that way, ensure that they would receive probably unlimited funds?

**Hon. Mr. Lang:** Mr. Speaker, the linguistic study is not the responsibility of this Government, it is the responsibility of the Council for Yukon Indians. So, it is not a case of a transfer from this Government to the Council of Yukon Indians in respect to the funding for that program.

The request for fundings came directly from, the way I understand it, from the Council for Yukon Indians to the Treasurer Board, not through this Government, because it is not a program that is within the school as far as the linguistic study is concerned. It is a very technical area and it is an area that they are looking at attempting, I understand, attempting to come up with a dictionary to preserve the Indian language.

Mr. Speaker, if all Members recall, there was no monies voted in this past budget for that particular program, strictly on the fact that was a program that was felt that it was the CYI responsibility, not this Government's.

#### **Question re: Acorn Lumber Facility**

**Mr. Lengerke:** Mr. Speaker, I have a question for the Minister of Local Government. I raised the subject probably well over a year ago, the matter pertaining to Acorn Lumber, the Acorn Lumber facility that used to exist and now is sitting there in abandonment.

I asked the Government, or I asked the Minister, at that time if the Government had any responsibility in seeing that that particular site could be cleaned up and that the company would live up to its obligations, whatever they might be. I am wondering now, what is happening? We have quite a bit of waste lumber, waste material sitting at that particular site. I have had people raise concerns that here the Government are letting contracts and tenders for cutting firewood and what have you, and yet we have a lot of this—

**Mr. Speaker:** Order please, I wonder if the Honourable Member would kindly get to the question.

**Mr. Lengerke:** —going to waste. My question is, is the Government satisfied with what the situation is at Acorn Lumber to date? If they are fine, if they are not, are we going to do anything about it?

**Hon. Mr. McKinnon:** Mr. Speaker, I do not recall the question from the Honourable Member but I will certainly look into the matter to ascertain whose land it is. I think the land and the permits and everything else went forward from the Federal Government, but I would have to ascertain whether that is correct. We are right in that area of no man's land as to who has control and responsibility. I would have to determine that first, Mr. Speaker, which I would be happy to do.

#### **Question re: Teslin Swimming Pool**

**Mr. Fleming:** Mr. Speaker, I think it was on the first or second day of the opening of the Session that I asked the Minister of Education a question regarding the swimming pool at Teslin and the work that was supposedly to be done on it so it could be open again this year. At that time he said there had been a little work done, as I mentioned to him. He did not know if there was going to be anything more done because it was being done by Public Works or something. I felt the Minister would get me that answer. I would ask the Minister of Education, or the Minister of Local Government, if Public Works is doing the work and if there is going to be, or has been since the session started, I have not been home, any work done on the pool or going to be done on the pool?

**Hon. Mr. Lang:** Mr. Speaker, I know my colleague, the Minister of Local Government, would love to answer that question, but I do not have the further information in this area for the Honourable Member at this time. I will check up on it either this afternoon or tomorrow and I will contact him and let him know whether or not more work will be done or whether or not it is up to standard that we expect in 1978.

#### **Question re: Taxation Assessment/New Roll**

**Mrs. Watson:** Mr. Speaker, I have a question for the Minister of Local Government, the Minister of Assessments. In view of the fact that we had a delegation before Committee who made some very valid recommendations regarding assessment and taxation, my question this morning is that is the Government prepared to act on one of their recommendations? That is, namely, that a new assessment roll be adopted in order to relieve the Court of Revision of trying to sort out the overwhelming inconsistencies of the present assessment roll?

**Hon. Mr. McKinnon:** Mr. Speaker, I of course do not agree with the argument of the overwhelming inconsistencies of the present assessment roll. I think the present assessment roll, I

ink the present assessment roll is quite valid with changes that can be affected before the Court of Revision.

Mr. Speaker, a short answer to the question, last fall we realized that we were not going to meet the deadline under the *Taxation Ordinance*, for presenting the assessment roll to the City of Whitehorse. We met with the City officials and we outlined different plans of action that could be made. One, that there could be an update of the existing assessment roll. It was indicated by our assessors that that would take about five months to the time of March 15th and we would need taxation amendments at any rate to update the old assessment roll.

When we finished that, we really had nothing but wasted the time of the assessors and the taxpayers' funds, because we could utilize that time, that five month period, in bringing in a brand new assessment roll.

Mr. Speaker, I realize fully and I took the Honourable Members at that time that it would have been much more politically expedient, knowing what happens in any general assessment, to just update the old assessment roll, that the City, my authorities, that all peoples concerned urged and told us that, in their judgment, that we should go ahead with the new assessment roll, during that period of time and present a revised assessment roll.

Mr. Speaker, regardless of what delegations and Members hear from lobby groups anywhere, it is my advice that it would take this Government, at least in the period of four or five months and they would have to completely and totally disregard any of their planned assessment work for this year, to revise and update an outmoded completely archaic assessment roll to the City of Whitehorse. It would just be an impossibility to do at this late date. The decision that was taken by the City, by Territorial officials at that time, Mr. Speaker, was a proper decision, regardless of the political problems that it presents to Honourable Members of this House and to Members of the City of Whitehorse Council, Mr. Speaker.

Mrs. Watson: Yes, Mr. Speaker, supplementary, I do not think the Honourable Member actually answered my question. My question was, is this Government prepared to adopt the recommendation that a new assessment roll be developed for taxation 1978? That is my question and I understand that it would not take as long as the Honourable Member is indicating to update the existing assessment roll to provide for 100 per cent taxation, assessed value of land and improvements?

Hon. Mr. McKinnon: Mr. Chairman, there is a new assessment roll for 1978. With some inconsistencies, it is a valid and a good reassessment that has been done. It creates much less problems than other jurisdictions that are presently going through the trauma of reassessment, one of those jurisdictions happening to be Alberta, at the present time, Mr. Speaker.

Mr. Speaker: A final supplementary from the Honourable Member from Kluane.

Mrs. Watson: Yes, Mr. Speaker, supplementary, it was rather noticeable that the Minister accepted the fact that there were some inconsistencies and there are some significant inconsistencies. Is this Government prepared, if these inconsistencies continue even after the Court of Revision's decision, to attempt at least to make some accommodation to the people who will be carrying the burden of the archaic philosophy in our method of assessment?

Hon. Mr. McKinnon: Mr. Speaker, of course that is a hypothetical question because this Government always, always, always stands to believe that the institutions which this Legislative Assembly has created are exactly the reason why they are created to take care of such inconsistencies as the Honourable Member mentioned. Before having the report of the Court of Revision, it is impossible to say whether this Government will have to act any further or not. I would sincerely trust, Mr. Speaker, that because the Court of Revision is

set up exactly for that purpose, that following their report this Government will not need any further action.

I do not think that any Honourable Members have found me over the time of the term of their office to be inflexible and not to be able to move and move quickly where I see that there are real injustices or hurts being done to any segments of society, Mr. Speaker.

Mr. Speaker: I will not permit any further supplementaries on this question from the Honourable Member if that is the intent. Any further questions? We will then proceed to Orders of the Day, Motions and Resolutions.

## ORDERS OF THE DAY

### MOTIONS

Madam Clerk: Item Number 1 standing in the name of the Honourable Member, Mr. Lengerke.

Mr. Speaker: Is the Honourable Member prepared to deal with Item 1?

Mr. Lengerke: Yes, Mr. Speaker.

Mr. Speaker: It has been moved by the Honourable Member from Whitehorse Riverdale, seconded by the Honourable Member from Kluane, that the House, at its rising, do stand adjourned until it appears to the satisfaction of Mr. Speaker, that the public interest requires that the House shall meet. Mr. Speaker may give notice that he is so satisfied, and thereupon the House shall meet at the time stated in such notice and shall transact its business as if it had been duly adjourned to that time; and that in the event of Mr. Speaker being unable to act owing to illness or other causes, the Deputy Speaker shall act in his stead for the purpose of this order.

Mr. Lengerke: Mr. Speaker, I do not think too much has to be said about this motion. I am sure Members are aware that there may be a number of matters that will have to be brought forward to this House in the course of the next few months. With that, I would just call question.

Motion agreed to

Madam Clerk: Item Number 2, standing in the name of the Honourable Member, Mr. Lengerke.

Mr. Speaker: Is the Honourable Member prepared to deal with Item 2?

Mr. Lengerke: Yes, Mr. Speaker.

Mr. Speaker: It has been moved by the Honourable Member from Whitehorse Riverdale, seconded by the Honourable Member from Ogilvie, that the terms of reference as tabled in this House pertaining to the Minister's Special Representative for Constitutional Development in Yukon be referred to Committee of the Whole for discussion.

Motion agreed to

Madam Clerk: Item Number 3, standing in the name of the Honourable Minister, Mr. Lang.

Mr. Speaker: It has been moved by the Honourable Member from Whitehorse Porter Creek, seconded by the Honourable Member from Whitehorse South Centre, that the Yukon Legislative Assembly, pursuant to subsection 9.(2) of the *Yukon Act*, is desirous of dissolving on the date of the Issuance of the Writ for the 1978 Territorial Election, and that a copy of this resolution be transmitted to the Governor-in-Council.

Hon. Mr. Lang: Mr. Speaker, the *Yukon Act* states as follows: "Every council shall continue for four years from the date of the return of the Writs for the general election, and no longer but the Governor-in-Council may, at any time, after consultation with the Council, where he deems such consultation be practicable or, otherwise, after consultation with each of the Members of the Council with whom consultation can

then be effected, dissolve the Council and cause a new Council to be elected."

Mr. Speaker, the elections in Yukon have traditionally been held in the Fall. In order to hold the next Territorial Election this Fall, it will be necessary to obtain dissolution of the 23rd Legislative Assembly. Otherwise, the life of this Assembly would expire on December 11th and election following such expiration would take place on January 22nd, 1979.

Mr. Speaker, Members will note in the resolution, we have not stated a firm date, as has been the custom in prior Legislatures. The major reason for this, Mr. Speaker, is the fact of the uncertainty of the forthcoming Federal election. For Members' information, the present Government of Canada can legally exist to July of 1979.

At the same time, another aspect has to be taken into account is the fact of the municipal elections, which are held in December.

To give an idea of what the Government is looking at tentatively for dates for the forthcoming election, we are looking at September 22nd for dissolution; September 23rd for Issuance of the Writ, and therefore, polling day would be November 6th.

The reason, Mr. Speaker, we have not put the firm date in is that we feel we have to have the flexibility within a week to two weeks on either side of the tentative dates that I have projected here in order to possibly accommodate the forthcoming Federal election.

Mr. Speaker, the other point that should be brought, is that we feel an election should be in either late October or early November. Sometime in that timeframe, is the fact that the summer season has come to an end and people are coming into their various communities and settling down for the winter and therefore they can become actively involved in the political process.

At the same time, Mr. Speaker, it should be noted that a conference is to be held, I believe it is on September 6th, which is of historic significance to Yukon, the First Federal/Provincial Conference will be hosted by the Minister of Health and Welfare.

I have just been informed that it is not Federal, it is provincial, but I think it does a great deal to enhance Yukon and the evolution that Yukon is going through towards more responsible government and the recognition by our counterparts in the provinces.

So, Mr. Speaker, with this in mind, I once again reiterate that the tentative date that we are scheduling is September 22nd for dissolution. If we have to change that before it is formally issued, all Members will be contacted to let them know just exactly what our plans are.

Mr. McCall: Yes, Mr. Speaker, I was just wondering at the remarks that the Minister has just made, is there anything else on the agenda so that we could fit in the election between the various activities that are going on, because I am a little curious. Do you think we will be able to make it before Christmas?

Mr. Speaker: Is there any further debate?

Mrs. Watson: Yes, Mr. Speaker, I am a little reluctant, in fact, I have not decided whether I am going to be supporting this motion or not.

In the past, it has always been a decision of this Legislature. I know that in other jurisdictions that it is a decision of the Government that has been duly elected on party lines and reflects the thinking of the constituents and reflects the thinking of the constituency organization that it represents.

We have not progressed to that stage at the present time. I understand the next Legislature likely will. I look forward to that. But until we are, I do not feel that I, as an ordinary back bench, or opposition or whatever you call it, should give up my right to have my political input in the date of when the election should be.

What you are asking me to do is to say to the four people sitting across the aisle, that they can take into anything that they consider is politically in their favour for the date to set the election. It is quite obvious from the little political speech that was made by the Member of the Government.

Mr. Speaker, I would have hoped that this motion had not been brought in at this time. We do have to be called back in again sooner or later, we hope this summer, when we receive a certain report. At that time we would have an idea of what Mr. Trudeau is going to do and I do believe that the Federal Election will have some bearing on the state of our election. But there are other things that have a bearing on it, and I would like to have my input on to the date too. So I will be opposing this motion and asking it to be left until we meet again later in the summer.

Mr. Speaker: Any further debate? Question has been called are you agreed?

Some Members: Agreed.

Some Members: Disagreed. Division.

Mr. Speaker: Division has been called, Madam Clerk would you poll the House.

Hon. Mr. McKinnon: Agreed.

Hon. Mrs. Whyard: Agreed.

Hon. Mr. Lang: Agreed.

Hon. Mr. Hibberd: Agreed.

Mr. McIntyre: Agreed.

Mr. Fleming: Disagreed.

Ms Millard: Disagree.

Mr. McCall: Disagree.

Mrs. Watson: Disagree.

Mr. Lengerke: Agree.

Madam Clerk: Mr. Speaker, the results of division on Resolution 17: 6 yea, 4 nay.

Mr. Speaker: I shall declare that the motion is carried.

*Motion agreed to*

Madam Clerk: Item Number 4 standing in the name of the Honourable Member Mr. Berger.

Mr. Speaker: The Honourable Member has indicated to the Chair that he will not be with us this morning and asked that Item 4 be stood over, is this agreeable.

Some Members: Agreed.

Mr. Speaker: So ordered.

Madam Clerk: Item Number 5, standing in the name of the Honourable Member Mr. Lengerke.

Mr. Speaker: Is the Honourable Member prepared to discuss Item 5?

Mr. Lengerke: Yes, Mr. Speaker.

Mr. Speaker: It has been moved by the Honourable Member from Whitehorse Riverdale, seconded by the Honourable Member from Kluane, BE IT RESOLVED THAT: the Government of Yukon forward all applications presently before them, with respect to the distribution of power to the Marsh Lake Recreational Area and Cottage Subdivisions as well as those for the distribution of power to Jakes Corner, to the Electrical Public Utilities Board of the Yukon Territory for its consideration.

Mr. Lengerke: Yes, Mr. Speaker, I will not go into too much history on this one. I hope that Members are aware of the situation that does exist. They will know that, I am sure, that the Yukon Electrical Company made application to distribute power to the Mayo area and the Marsh Lake area sometime back in 1975, I believe.

At that time, permission was given to them to distribute power to the Mayo area, but the matter of the distribution of power to the Marsh Lake vicinity was not considered because,



at that time, NCPC had indicated that they wanted to build a transmission line and distribute power right to the Teslin area.

So, I believe the matter had been left in abeyance and I think that was a matter that this Government made that decision, or somebody made it at that time.

In the meantime, NCPC did construct the line, a 34.5 KV line from the Carcross Corner to the NCPC Marsh Lake control dam. That line, as you know, you have heard me stand many times and ask the question when it was going to be energized, that line stood bright and shiny and big and expensive, but was never energized, because the Yukon Electrical people and NCPC apparently could not resolve the matter.

I understand that has finally been resolved and equipment has been brought in and the line is being energized. So that provides a further line and transmission link to the NCPC Marsh Lake control dam.

As you know, it is not very far from there to the Marsh Lake recreational subdivision, the cottage subdivision and I would think that it would be a most opportune time now, that the Government would make a decision as to who is going to distribute power to that area.

If in fact they do have applications before them, that a decision should be made that they should refer these to the Electrical Public Utilities Board so that some action can be taken, because we have been waiting a long, long time for this development to take place. The longer we wait, the cost goes up. I think there is an opportune time now to make a decision.

**Mr. Speaker:** Any further debate?

**Hon. Mr. McKinnon:** Mr. Speaker, I wonder whether the Chair would rule as to just who would have a conflict of interest in this area in speaking or voting on that subject? Would it be someone who happened to have a recreational lot in the Marsh Lake area, Mr. Speaker?

**Mr. Speaker:** The Chair would have to consider such a matter if such was placed before it.

Is there any further debate?

**Mrs. Watson:** Mr. Speaker, I would certainly hope that one Member from the Government side would stand up and speak to this motion. We know that the progress and how slow this whole procedure has been developing, since 1975, there must be some reason, I surely hope there is some reason of why the Territorial Government has not acted upon it.

We should have some indication from the Government of what their intentions are for the future. I must have more information before I am able to either support this motion or reject it. It certainly will be dependent upon the Government's position. I think one of the Members across the aisle has a responsibility to speak to this motion.

**Mr. McCall:** Mr. Speaker, I have reservations on this particular motion dealing with the point that the Minister of Local Government has brought up. I think the Chair should consider a ruling as to the conflict of interest that some Members of this House have on this particular matter.

**Hon. Mr. Hibberd:** Mr. Speaker, I thank the Member from Kluane for the invitation to speak on this. The motion indeed does have my support, but I do have some problems with it. First of all, I am not aware of any applications being made at this time with regard to the distribution of power in that area.

I would like to point out to Members that the delays that have been taking place in getting power to these areas has not been the responsibility of Government, and I think Members are fully aware that it has been a problem that has not been sorted out between the NCPC and the power distributor, the Yukon Electric. It is on the resolution of their differences and how they wish to see it sorted out is the opportunity that we will have to review it when they make application.

I would also like to remind Members that that would go

through the normal route of an independent board, the Electrical Public Utilities Board, and it would be dealt with under their mandate.

I quote from Section 33.(1). "The Board may on its own motion inquire into, hear and determine any matter or thing respecting the production, transmission, delivery, or furnishing of electricity to the public." It is their mandate to deal with this, and when they have the opportunity to deal with it, when the application is being made, they will indeed do so. It is their responsibility to investigate and make the decision regarding it.

There has been, to my knowledge, no application forthcoming at this time.

**Mr. Fleming:** Mr. Speaker, I find it very interesting that the Government does not even want to seem to take a hand in to help with it, any sort of electrical equalization or anything else in the Territory. As a point of interest, as for a conflict of interest, Mr. Speaker, I might have a conflict of interest, very much so, but it so happens it is only going to Jakes Corner. So I do not think possibly that I have. The Honourable Members across the table would have been up letting me know, most likely by now.

I have no problem whatsoever with the motion. I will be voting for it. It is just about time that these people in that area do get power the same as anybody else. I will take a chance on the conflict of interest in this area with no problem whatsoever.

**Hon. Mrs. Whyard:** Mr. Speaker, I no longer have a conflict of interest in that area, having turned over my previous interest to a grandson. But I would like to say that this is the first time this problem has been brought to my attention. I would undertake to pursue it and continue to have an interest in what is happening to these applications that I do not know about at the moment. I am sure that what the Minister of Consumer Affairs has said here is assurance to Members that the matter will be taken care of.

**Mr. Speaker:** A reply from the Honourable Minister of Highways and Public Works.

**Hon. Mr. McKinnon:** Mr. Speaker, the Government's position on this has been adamant and very strong. We refuse and remain in opposition to a right-of-way being granted from the Whitehorse power dam to the Carcross cut-off to parallel an already existing line and create another corridor along an already thrice or quintuply impacted corridor, with pipelines, with roads, with powerlines, when two grown people getting together could use one line, if one provided the energization to the other.

We said no way that there should be another corridor established with another line of NCPC that would be nothing more than an extra cost on to the consumers of all the Yukon Territory for power and it was time the Yukon Electrical Company, NCPC got together and sorted out their differences and we would do anything in our power to act as an arbitrator, a conciliatory for them to sort out their differences.

After two years, Mr. Speaker, the boys got together, sorted out their disagreements and agreed that one could use the other's line to have power energized as far as the Marsh Lake dam.

Now, Mr. Speaker, the next step is for them to make applications as to who is going to transmit and who is going to distribute power any further from the Marsh Lake Dam. That has not been done to this point in time. So how can there be a decision made on who should transmit, who should distribute, until those applications come forward to this Government or to the Yukon Electrical Public Utilities Board?

It would seem to me, Mr. Speaker, and I am speaking totally personally in this regard, that as far as I understand, NCPC transmits and Yukon Electrical distributes and maybe the two of the boys can get together once again to decide what their responsibilities in this area should be and so apply to this

government, Mr. Speaker.

**Mr. Lengerke:** Mr. Speaker, I am very glad to hear those comments because at least, if nothing else, we have given some direction to two utility companies and maybe if they have not got application before this Government that they will do so but I believe, as I said, the Yukon Electrical Company did make application in 1975. That was before the 34.5 KV line was built by NCPC. There was not any problem of two corridors or two lines or anything at that time but somebody made the decision that NCPC would be the utility that would take the line right to Teslin so I think the decision was made then that the application by Yukon Electrical would not be considered. Since that time, as I pointed out, we have had a little bit of development take place. We are not, as the Minister has said, the two companies at least have agreed that they are going to energize a line that was sitting there at the taxpayers' expense but not doing anything.

I might add that I am very pleased to see that finally getting energized because certainly, that is a waist of good public funds. Now, a decision can be made, I am sure, if the Government wants NCPC to extend the line from the Marsh Lake control dam on further and ask them to do that or have Yukon Electrical pick up and distribute from there, or from whatever point.

I think what we are doing here is at least making it certainly apparently clear that the Government is not standing in the way of any application and I suggest that we take a look back through the files and see if in fact the application by Yukon Electrical is still valid, which I believe it would be, and have that forwarded to the Electrical Public Utilities Board.

That is all I want because, as I say, this question has been sitting for some time not answered and the Minister of Human Resources has said it is the first time she has ever heard of it. I am rather surprised because I can bring you some *Debates and Proceedings* and show you where I have raised this question on a number of occasions.

You know, sometimes things like this seem to go unaware because maybe it is not a very magnificent subject or anything else.

**Mr. Speaker:** The Member having twice spoken has now closed the debate.

*Motion agreed to*

**Mr. Speaker:** We will now proceed to Public Bills.

## PUBLIC BILLS

**Madam Clerk:** Bill 101, Mr. McCall.

### Bill Number 101: Third Reading

**Mr. McCall:** Mr. Speaker, I would move, seconded by the Honourable Member from Klondike, THAT Bill 101, *An Ordinance to Amend the Mining Safety Ordinance* be now read a third time.

**Mr. Speaker:** It has been moved by the Honourable Member from Pelly River, seconded by the Honourable Member from Klondike, THAT Bill 101, be now read a third time.

*Motion agreed to*

**Mr. Speaker:** Are you prepared to adopt the title to the Bill?

**Mr. McCall:** Yes, Mr. Speaker, I would move, seconded by the Honourable Member from Klondike, THAT Bill 101 do now pass and that the title be as on the Order Paper.

**Mr. Speaker:** It has been moved by the Honourable Member from Pelly River, seconded by the Honourable Member from Klondike, THAT Bill Number 101 do now pass and that the title be as on the Order Paper.

*Motion agreed to*

**Mr. McCall:** Mr. Speaker, I would move that Mr. Speaker do now leave the Chair and the House resolve into the Committee of the Whole.

**Mr. Fleming:** I second the motion.

**Mr. Speaker:** It has been moved by the Honourable Member from Pelly River, seconded by the Honourable Member from Hootalinqua, that Mr. Speaker do now leave the Chair and the House resolve into Committee of the Whole.

*Motion agreed to*

*Speaker leaves the Chair*

## COMMITTEE OF THE WHOLE

**Mr. Chairman:** Would Committee please come to order.

The Bill for discussion this morning will be *An Ordinance to Amend the Taxation Ordinance*, Bill Number 17, after a brief recess. I will now declare the recess.

*Recess*

**Mr. Chairman:** Committee please come to order.

Bill Number 17, *An Ordinance to Amend the Taxation Ordinance*.

*On Clause 1*

**Hon. Mr. McKinnon:** Mr. Chairman, I think everybody knows the reason for this section. It has been debated on second reading.

I can only comment, Mr. Speaker, that the Court of Revision, in their decisions of the last two days, have reflected this opinion which we thought that they were capable of doing, under the existing Ordinance. The only problem being that these sections of the Ordinance are necessary for those people who did not have appeals before the Court of Revision at this time.

**Mr. Chairman:** Any further discussion?

**Mrs. Watson:** Mr. Chairman, now how will the Government deal with this? Are they going to review the applications before the Board of Revision and then, in fact, go to the areas where residences are in different zones and reassess their property and send out a new assessment notice?

**Hon. Mr. McKinnon:** Yes, Mr. Chairman.

**Mrs. Watson:** Are you going to do some advertising, in case we do miss people. I would hope that we do not, or are there records within the Taxation and Assessment Branch valid enough so that there is no danger of not giving someone the benefit of this?

**Hon. Mr. McKinnon:** Yes, Mr. Chairman. The difficulty before was that with all the notices, all the schools, and everything that was done in assessment, there were some that were missed.

I had a delegation of some of the old age pensioners in downtown Whitehorse and I just got to be satisfied in my conscience that this is the type of legislation that does not miss any of those people, because it just would be tragic. I just could not live with those people being affected.

With these amendments in the legislation, we will have the flexibility and the ability of going through our records and doing exactly that, Mr. Chairman.

**Mrs. Watson:** Mr. Chairman, this in fact, though, does set a precedent, I believe, that at least if a residence is being used, if a property within a, say, an area that is zoned commercial is being used as a residential property, and that property is sold as a residential property, they will still continue to be assessed as a residential user, even though it changed hands three or four times.

I think, in the past, I think court decisions have stated that if you are a residence in a different zone, you may remain a residence in that zone, but once you sell it, you must sell it, it

then becomes a commercial property or whatever.  
How does this fit into that?

**Hon. Mr. McKinnon:** Very difficultly, Mr. Chairman. The question is whether we go into a tremendous set of guidelines of what owner/occupier means with the dependency of interrelationship of who is available for exclusion or not. The Court of Revision likes the owner/occupier section with that type of a definition. The Government of Yukon really agrees with the philosophy of that type of a section as the Honourable Member has indicated. The City is of the opinion that at the present time, the difficulties of indicating and getting down into the line of relationship that would be allowable, that for the minimal amount of money, which their Treasurer has reflected would be available, that the difficulties are too extreme at this late date of doing so.

I just happen to agree with the philosophy of the Honourable Member from Kluane, and I know that there are other jurisdictions that have faced this, that have looked at it, and that is exactly what we are going to have to do with the review of the *Taxation Ordinance* of making the decision, which I happen to agree with from a philosophical viewpoint that when it is sold and if it is sitting there by an absentee owner, that it should be charged at the rate in which it is zoned. The difficulties inherent at this assessment of doing that to this point in time, which we indicated to the City we would like to do in these amendments to the legislation, their arguments on the difficulty of administration at this point in time indicated that they would much rather, for the minimal amount of money involved, which is indicated by the Treasurer, go to this amendment at this point in time.

**Mr. Fleming:** Mr. Chairman, I cannot of course agree with the amendment, only in the sense that it is a necessity at this time. I feel that the amendment should never have been here due to the fact that the assessment in the first place was wrong. If I had known at the time that the main Ordinance was here, or the main assessment was here before, I think I could have probably spoken on it then and given some advice to the Government. Now that we just have the amendment, and I have not any choice but to go along with it.

I would like to ask the Minister how he is going to deal with a piece of property, for instance, that is out of the area of the town here and it is isolated and was assessed at \$1,000, roughly, and now is assessed at roughly \$10,000? As near as I can see, there is no area around there that he could base this paper on. How do you base that and how do you come up with a fair assessment for that person?

I was really amazed, in checking through, just as a comment, last night, with some people in this town and their tax assessment notices, that there are many, many people who are paying less tax than they were last year. I am not guessing or anything. I know that there are these things. I found the whole assessment, of course, very unfair.

But how do you deal with that situation?

**Hon. Mr. McKinnon:** Mr. Chairman, I do not deal with it and I am not pretending to deal with it by these amendments to the legislation, except, that under these terms and legislation, if any of those people make their arguments and those arguments are accepted by the Court of Revision—

Now, take a look at the five members of the Court of Revision. They are long-time, involved Yukoners who know the score in Yukon. Mr. Chairman, by these amendments, if one of these properties affected make their point before that Court of Revision, this amendment to the section allows for the assessor to reassess all of those properties falling in the same category, along those lines decided by the Court of Revision.

Mr. Chairman, I have great faith in the public of the Yukon that sits on these boards and these Courts of Revision. I do not think that you could have come up with a better bunch of people

than the present Court of Revision is. I have been watching the decisions which they have made in the last several days. They are very humane and take into consideration all the facts that the Honourable Member is presenting to me.

Those facts should be presented to the Court of Revision for that decision and we allow the Court of Revision to do what the Honourable Member would like to see done, upon those arguments that he is making to me, being accepted by the Court of Revision, Mr. Chairman.

**Mr. Fleming:** Yes, Mr. Chairman, I agree that I think that there will be a lot done, because I agree wholeheartedly with the Member that we have a Court of Revision that is concerned.

However, I am a little worried about the guidelines that they do have, that they just have to find a property somewhere that is valued at so much and then go down to the others when they come in to see the Court of Revision, they could drop to that level.

But I am speaking more specifically of an area where there are not a whole lot of properties and nothing to go by. What guidelines does the Court of Revision have in this case?

If the Minister can prove to me that, under this, they do have the freedom, I should say not guidelines, but freedom to assess what they feel is proper, then I could feel a little better anyway.

**Hon. Mr. McKinnon:** Yes, Mr. Chairman, our assessors are there constantly at the Court of Revision. The Court of Revision says what guidelines did you use to base this assessment on? The assessors state their guidelines, this is what we did, this is how it went about, and the Court of Revision, as the assessors have made a subjective decision, they make what they feel is an objective decision on the subjective analysis of the assessors, saying, we do not agree with that analysis of your assessment and we are making the decision that, in this instance, we do not feel that your assessment was correct and we are doing this.

Yes, the Court of Revision has that flexibility. Yes, they have already exercised that flexibility in decisions that have been made by this current Court of Revision. I think that they understand their role quite well, Mr. Chairman.

**Ms Millard:** Mr. Chairman, I have been following this taxation debate with great interest, because I have learned a lot. But I still have not received an answer to the question in my head. It seems to me the problem is that there are a lot of people who disagree with the assessment and the Government is saying okay you have a process, you go to the Court of Revision to revise that. But you are not saying to us that the result of those assessments that the Court makes are going to come into effect some change in the whole policy of assessments anyway.

I wonder if we should be giving all that responsibility to the Court and to make them do all that work? Is that really their role to sit there and try to change the whole assessment philosophy? I do not think it is. I think that is the Minister of Local Government's responsibility, and I am not hearing that that is what he is going to do is respond to the changes that the Court of Revision are suggesting and the assessment people are sitting there also understanding what changes are really necessary, it seems to me. So I cannot hear the Minister telling us that sometime in the future, all this material and things that are going in front of the Court of Revision is going to be used for positive change in the whole assessment routine. I would like to hear that.

**Hon. Mr. McKinnon:** Mr. Chairman, there is absolutely nothing wrong with the whole assessment routine. If there are any problems, it falls with a taxation philosophy that needs some renewal or updating to a new type of philosophy of taxation which is now being undertaken in every jurisdiction across the country. Every jurisdiction is going through the problems of reassessing their philosophy on taxation and bring-

ing in major taxation ordinances.

Mr. Chairman, we have, as part of our legislative programming, that a total new *Taxation Ordinance* had to be looked at and had to come into effect in the 1979 legislative calendar year. We have had people gathering information, working on all the work that the provincial jurisdictions have been doing in this area. Some of the Maritime provinces have gone to this new philosophy on taxation. The Provinces of Ontario and Alberta are moving towards it. I kid you not when I say that it has taken ten years for Ontario to start with the Smith Study on Taxation, property tax reform, in 1967, which was the first year they had gone through about eight major studies and since that time come up with their final study, which is the Blair Report, and now the Treasurer of Ontario, Darcy McKeough is trying to get through the property taxation reforms which we are talking about in the Legislature of the Province of Ontario.

I have been following, with great interest, the problems and the things that happen when you go into the total reform of property taxation. It is nice and simplistic to think that there is a total panacea that if you go 100 per cent on improvements and 100 per cent on property, then strike a percentage, that all of your problems stop overnight.

Mr. Chairman, all we would get would be another group of dissatisfied taxpayers who would be presenting different problems before the Court of Revision and before this Government, no matter what changes in philosophy are made on taxation, and no matter what type of guidelines are used for an assessment.

So, when we go through the whole problem of property taxation, which is the most politically sensitive area that any Government can deal with, you are going to go through a tremendously traumatic time in Government.

Mr. Chairman, I make the point again that this obviously should be an area where the Executive Committee Member responsible is an elected Member, because there is nothing more sensitive and more down to the public of Yukon than the area of property taxation, which, of course, entails the whole financial formula of Yukon.

We have made the point that this should be, should happen and, up to now, our representations have not been listened to by the powers that be. But that does not mean that I am not going to be active in attempting reforms, Mr. Chairman.

**Mr. Fleming:** Yes, Mr. Chairman, I still have a question for the Minister, and it does deal with this amendment.

I do not think that we should have had this amendment here. I do not think this amendment needed to be here. If, in the assessment, they had not just jumped straight on to the land entirely, and I did not quite understand the committee here yesterday, to sit here and try to get that knowledge through, it is just not there, I had to get out and look at a bunch of tax notices, assessments and so forth, talk to people to find this out, but, if they had not gone straight to land with entirety, and forget this 100 per cent business and fair, what the Government calls fair value, because what the Government calls fair value is whatever possibly they could get out of it.

I do not think we would have needed this amendment here if they would have gone the way they were asking yesterday, to, yes, bring the land tax up a certain amount, but put more tax also on the improvements, to get the same amount of money that you needed. Because the idea of the whole principle of the thing is they need the money.

Now, if you had done this, you would have, and I see some scowls, my heavens', eh? I do not think they understand either, but I stood here and never understood lots of time, too, that you would have been hitting the bigger businesses, such as, and I will just name a bunch, Hougens', Whitehorse Motors, the Inn, all these places in town with large amounts of improvements, and you would not have been hitting the little person, nor even

the big person that had land alone that was not developed yet, near so hard. You could have come up with the same money.

You would not have needed this amendment here, the same people, certainly, would not have been in here yesterday that were, it might have been another group, but they would have been a different type.

That is all I am saying and I am going to say no more. But that philosophy, to me, is what the Government should be going to and gradually bringing this thing to a head, not just slapping 100 per cent of what they call fair value, which is a myth, on to land all at once.

**Hon. Mr. McKinnon:** Mr. Chairman, I understand completely what the Honourable Member says. I have the responsibility for the assessment sections of the *Taxation Ordinance*. I did exactly what what I was instructed and demanded to do under the terms of the *Taxation Ordinance* by assessment.

Now, Mr. Chairman, I am saying from that assessment, I see the anomalies of which the Honourable Member speaks of, and I am telling that if you are here for another four years, that your major concern, one of your major concerns in this House is going to be exactly what the Honourable Member says, a total reform of the property taxation system in Yukon, along the lines which he is indicating and it is going to be every bit as a difficult situation as all Honourable Members are going through now with these amendments.

There is no panacea just because you change the formula. You just affect a different group of taxpayers to a greater extent. The Province of Ontario and the Maritimes, when they went to the different formula that the Honourable Member says, the lobby groups and the professional groups and the ability was exactly the same as the trauma that we are going through now.

I cannot allow the Honourable Member to get away with that there was not a major shift in taxation, not only to the small property holder and the small businessman, but it was pretty effective on the major industrial and commercial properties also, Mr. Chairman.

**Hon. Mrs. Whyard:** Mr. Chairman, on a Point of Privilege, I think, the Honourable Member misinterpreted my facial expression. It was not a scowl, it was amazement at his statement that we had jacked up the rate of assessment on land to 100 per cent, because that is what it has been for years.

**Ms Millard:** Mr. Chairman, it is still not clear to me if the Minister is committed to changing the assessment process the way it is. I know it is very early in the stage of proposed legislation, but it seemed to me obviously one of the very basic things that have to be considered. Can we have some information from the Minister whether this is being considered and is it being considered if the land basis for the assessment is going to be changed?

**Mr. Chairman:** Ms Millard he has already answered that question. He said there was going to be a complete review of taxation next year and that it will be up to the Members of the House at that time to decide whether it is going to be 100 per cent or 50 per cent or what the distribution will be. It is not up to him as the Minister at the present time.

**Ms Millard:** Mr. Chairman, my experience with legislation that has been brought in this House, if it is going to be in the legislation that is going to be brought here, we do not have much choice in changing those clauses that are put in there. I am wondering whether the Minister is proposing a clause to this new legislation to get at the root of these problems we are bringing up. I still have not heard that assurance, and I would like to know whether he is?

**Mr. Chairman:** Well I have heard the assurance and I think your question is repetitive and I am not going to tolerate it.

**Mrs. Watson:** Mr. Chairman, I believe we are dealing with Section 1, are we not?

**Mr. Chairman:** Well, I and anything in general.

**Mrs. Watson:** I know we have been going into 2. But I would like to comment on Section 1.(2). I support the amendment to Section 13 when it is being "used as a single family residence, it shall be assessed according to its residential use." I am pleased that it was brought in. I know that the need should not have been to have brought it in, but it does alleviate some of the situation within the Whitehorse area now.

But greater than that I see it reflected in many of the small communities in the Yukon, because many of them now are embarking upon zoning. When you have never had any zoning or any land use allocation within a community, you are going to get a mixture, and it is going to take a time, quite a long time before you get your zoning pattern to be really reflected.

One of the biggest things that opposes the zoning is the single family resident who finds himself in an area that could be zoned or is zoned for some other use. They are concerned about their insurance, which makes a difference. But another thing is the taxation and this is why many of them have opposed zoning is because they are afraid because their residence is in a commercial zone, they will be taxed according to that zone.

There has always been that grey area within our legislation. I know there have been court cases filed on this and won, but why should people have to go to court all the time?

So this, I think, clarifies it very distinctly if there is a residential use you are assessed as a residential use. I am pleased to see it in here.

**Mr. Chairman:** Any further discussion on Clause 1?

*Clause 1 agreed to*

*On Clause 2*

**Hon. Mr. McKinnon:** Mr. Chairman, because this section is so inextricably and intrinsically tied with the section which we have already debated, I think we have realized the necessity for the amendment and primarily it does what I answered the Honourable Member from Hootalinqua. With the additional advantage of those people so effected by the first amendment, who have not filed before the Court of Revision will be automatically taken into consideration by the assessors, Mr. Chairman.

**Mrs. Watson:** Mr. Chairman, of course I am certainly I am going to support this motion because I stood up in the House and asked for it because of the restrictions or, it appeared to be restrictions on a Court of Revision in the present *Taxation Ordinance*.

I do have some concern, though. The Court of Revision has a big job, an extremely big job this year, and when you give them what we are asking them to do in this section, you sort of wonder whether really you should be putting this load on a Court of Revision, because it is a tremendous load.

What we are saying is that they can get involved in the setting of market value. What is happening, people, individuals from certain areas are coming in, are objecting to their assessment, they go to the assessors and now the Court of Revision has to be completely and absolutely involved in how the assessors set that market value.

When you look at a whole area, say for example when you are looking for acreage residential, there is no way they can even order a reassessment, unless they become involved in setting what that average market value for industrial.... That is a big, big job for them.

So, Mr. Chairman, I know that this is one way of giving them the power to do what they have to do and I am prepared to go along with it, but when the Minister, or whoever, brings in other legislation, let us not put our Court of Revision up against the wall the way we are this year. I do not think that we should be doing that. We should try to write the legislation, not to restrict their powers, but not to give them the responsibility of trying to sort out so much.

I am going to support this, Mr. Chairman.

**Mr. Fleming:** Mr. Chairman, I had some of the same, however, to add a little further to it. I just hope that it does not cause a problem in the field of the Court of Revision being more or less looked down upon later on, because, possibly, someone may not get down to that level or may think he is not down to the level.

This is the problem. They may take an area and say, okay, we are going to assess this certain property at that value. Then, I take it from the Minister that it is the Government's or the assessor's position then to go and see that all of the others in that area are straightened out, hopefully.

If this is the case, then that is fine. Let us hope that they do do that, because if they do not do that, even though a property owner a year or so later, really will have no right to go to a Court of Revision or anything, but he will be up and hollering and yelling because his property was not just done the way, and he will blame it all on the Court of Revision. I would hope that this would never have to happen.

**Mr. Chairman:** Anything further?

*Clause 2 agreed to*

*On Clause 3*

**Mr. Chairman:** There is an amendment to this Section. Moved by K. McKinnon, that Bill Number 17, entitled *An Ordinance to Amend the Taxation Ordinance* be amended as follows: By deleting Section 3 thereof.

**Hon. Mr. McKinnon:** Mr. Chairman, regardless of what Honourable Members may like to think, I stand as firm as they do in my dislike of retroactive legislation. Mr. Chairman, it has been pointed out to me, that we already do have a piece of retroactive legislation in the City of Whitehorse. The Assessment Notices, which allows the Commissioner to do those things which we all dislike for the term of this taxation year 1978, so it makes this section superfluous and we do not have to compound the mistake by another section. Also, Mr. Chairman, the Court of Revision is fulfilling those functions as has been outlined in the two amendments previous.

Any time that I can be party of not having to bring in retroactive legislation unless it is totally and absolutely compulsory and necessary, I am with the Honourable Member from Kluane 100 per cent.

**Mrs. Watson:** Mr. Chairman, I agree, but there is one thing, because of that other piece of legislation which gives the Commissioner the authority to enact these things retroactively for the City of Whitehorse, will the Government make sure that this is also enacted for the whole Territory? I want to make definitely sure that those sections apply to all of the Territory.

**Hon. Mr. McKinnon:** Yes, Mr. Chairman, those will apply automatically now in this assessment year coming up, any assessments that are being done.

**Mr. Chairman:** Any further discussion?

*Amendment agreed to*

*Clause 3 agreed to*

**Mr. Chairman:** The Commissioner of the Yukon Territory, by and with the advice and consent of the Council of the said Territory, enacts as follows: *An Ordinance to Amend the Taxation Ordinance*. Shall the preamble and title carry?

**Some Members:** Agreed.

**Mr. Chairman:** Shall the Bill be reported with amendment?

**Some Members:** Agreed.

**Mr. Chairman:** We will now recess until 1:30.

*Recess*

**Mr. Chairman:** Would the Committee please come to order.

We had a motion by Mrs. Watson, when we were discussing the paper on the harvesting of grizzly bear and other animals,

and we delayed any action on it, waiting for either an amendment or a revised motion. Are you ready to proceed with that, Mrs. Watson?

**Mrs. Watson:** Mr. Chairman, if I may be given the opportunity to have a revised motion, I would appreciate it.

**Mr. Chairman:** Yes.

**Mrs. Watson:** Mr. Chairman, I would move, seconded by the Member from Hootalinqua, that it is the opinion of this House that the Territorial Government should continue studies and field work in order to establish an accurate inventory of the grizzly bear population of Yukon, and that pending the delivery of the data from this work, the present system of restraint on grizzly bear harvest practised by the outfitters, in co-operation with the Game Department, should be continued until the end of 1979, at which time a new management system policy can be implemented.

**Mr. Chairman:** I will read the motion. Moved by Mrs. Watson, seconded by R. Fleming, that it is the opinion of this House that the Territorial Government should continue studies and field work in order to establish an accurate inventory of the grizzly bear population of Yukon, and that pending the delivery of the data from this work, the present system of restraint on grizzly bear harvest practised by the outfitters, in co-operation with the Game Department, should be continued until the end of 1979, at which time a new management system policy can be implemented.

**Hon. Mr. Hibberd:** Mr. Chairman, I well recognize the problem that is portrayed in this motion. The outfitters do indeed have the problem of having to meet bookings well in advance, perhaps two years in advance, or even more on occasion. I also realize that there are severe limitations on the data we have available. Data on grizzly bear is difficult to obtain. The statistics that we are using are, of course, on the basis of harvest only.

Mr. Chairman, this does place a problem for the Game Branch. The concern, of course, is that there might be areas where we find that the grizzly population is in danger. I have spoken to the outfitters regarding this matter, and they assure me this is the case, but we certainly do need the reassurance that the outfitters will continue to exercise restraint and will indeed increase the restraint at which they are harvesting animals in the meantime before an overall management plan can be instituted.

In addition to that, the Game Branch is obviously not out to do in the outfitters. Their mandate is to protect the wildlife as they see it and they are trying to do that the best way they can. I would suggest, Mr. Chairman, that they still must have the opportunity to be able to move in where they recognize there is a weakness in the population of grizzly. With that, I would like to bring in an amendment to the motion which I will read, Mr. Chairman.

Moved by myself, which is in addition to the present resolution, however, this should not preclude the Game Branch from intervening where necessary in areas where evidence dictates that there is a danger of serious depletion of the grizzly bear population.

**Mr. Chairman:** I would suggest that when Members are proposing amendments to resolutions that they include in their preamble that the resolution be amended by adding certain words, and not just put the amendment that they are proposing without any preamble as to where the amendment comes in. We have had to correct this one by putting that in.

Moved by Dr. J. Hibberd, that the resolution be amended by adding after the word "implemented" the following: "however, this should not preclude the Game Branch from intervening where necessary in areas where evidence dictates that there is a danger of serious depletion of the grizzly bear population".

**Mrs. Watson:** Yes, Mr. Chairman, very briefly the comments on this motion and the amendments: I am prepared to accept the amendment. I can understand why the Minister responsible for the Game Branch brought it in.

I think the amendment is implied in the parent resolution, but if he wants it spelled out, well, that is fine.

I would like to point out that studies have been done by the Game Branch, both on goats and sheep, which have been presented to the outfitters, with limitations as far as goats are concerned in certain management areas and with an indication that there is a possibility that, in 1979, there will be limitations placed on sheep hunting, both for resident and non-resident hunters, and because of the fact that the statistics and the data that the Game Branch has compiled and because of the fact that the outfitters are very responsible when they operate in their own areas, that they recognize that they will have to accept these criteria that are being placed before them.

We have a problem with the grizzly bear because of the unavailability of more accurate data. I would like to express very specifically that this motion does not necessarily mean a lack of confidence in the ability of the Game Branch to provide this data at this time.

We have, in Yukon, a study that was done through field work, by Dr. Pearson. His data in that study is very different from the data that is being provided by the Game Branch and somewhere along the line, I think we have to get something that comes together or at least justifies, fairly reasonably, why we should accept Dr. Pearson's statistics or whether we should accept the Game Branch statistics.

I imagine, as a result of this resolution, and as a result of the commitment by the Government if they do support the resolution, will embark upon further studies.

I would also like to say that I am fully aware that the Game Branch operates on quite a minimal budget. We expect them to enforce our game legislation over 207,000 square miles with a very limited staff, and we have just gone into the game management program in 1974, I believe we went into management zones, or 1973. We have just really started on a program of game management. We have a limited staff, again, to do the work to try to do the catch-up that had not been done the 10 years before.

So if the statistics on the grizzly bear are not as accurate as we would like to have, I think we must understand the ability of the Game Branch to produce this type of data with a limited staff and the limited budget that they do have. I did question where they set their priorities knowing that the grizzly bear, they were afraid that there may be some problem with the population of the grizzly bear, that they did not allot more money for this study in the first place.

I must recall that this House also took a position last spring that they wanted the Game Branch to give priority to their studies of the Porcupine caribou herd. So taking this all into consideration, I certainly am prepared to accept the fact that we do not have more accurate statistics at this time. I would hope that with some field work that they do, and I am sure the outfitters will co-operate with them in the field work that they are doing if they desire that co-operation, and with the interpretation of some of Dr. Pearson's data, that we will get a more accurate picture of the grizzly bear population in Yukon.

Once that picture is available for the Executive Committee, and the professional people within the Game Branch will at that time, I hope, make recommendations of how grizzly bear should be managed over a period of time within the Territory. I would hope at that time they look at a complete package, not just looking at quota in isolation. Because I think there are many areas in the Territory, as far as game management, that can be looked at and that affect our game population.

More specifically, I am looking at the residency qualifica-

tion. You hear the emotional outbursts of people being concerned about these Americans who are coming in and hunting all our big game, when all we do is require a landed immigrant to be here for six months and he can buy a resident hunter's licence.

So, it seems a little ludicrous for us to get so up in arms over this type of thing when we are not doing the very basic simple thing that we have the ability to do.

The Shakwak Project is scheduled to start in May. We know that some of their crews will be here for a year or a couple of years. Everyone of them, or a lot of them, after six months will be able, as transient workers, to buy a resident's licence.

So, management, not just can look at quotas in isolation, it must look at the whole picture and I would hope that this would give them the time to do this, so that the policy makers, the people on the Executive Committee can determine a course of action which should be taken.

Thank you, Mr. Chairman.

**Mr. Fleming:** Yes, Mr. Chairman, I have not got much to add to that as seconder of the motion and I will agree that the amendment from the Minister is very much needed, I think.

The first motion is, in my estimation, is something to protect the game guide who we have now and is a viable industry in this Territory. We do not have, I think, quite enough data to just say let us not hunt grizzly bear anymore or let us raise the trophy fee right at this moment to any certain extent.

So, I would like to see the co-operation between the outfitters and the Minister, as it is today and I think they spoke well yesterday in feeling that they knew the answers to some of it, but not all of it either. I think that together they can get it and that it would protect them in the instance of booking, which is the only way that their business comes to them. It is not like a store. They do not walk in and buy something. You have to write to them. You have to find them. They have to find you. It takes time. So, we are protecting that.

The amendment gives the Game Branch that opportunity to protect a zone if they feel it is being managed badly and I am sure that the co-operation of the outfitters, they will get it there, too, to let it help them to find these zones. So, I have no problem with the resolution and the amendment, Mr. Chairman.

**Mr. Chairman:** Anyone else?

*Amendment agreed to*

*Motion agreed to*

**Mr. Chairman:** We will now go on to Number 4, that the paper entitled "Memorandum on Electrical Rate Equalization" be referred to Committee of the Whole for discussion.

I believe there is a resolution forthcoming from our discussion on that particular issue.

**Mrs. Watson:** Yes, Mr. Chairman, I thank the Committee for standing this item over to give me an opportunity to prepare the resolution. It is a very basic follow-up resolution that follows up the discussion we had in Committee when we were discussing the paper on rate equalization for all of the Yukon Territory.

I feel that we cannot just leave that discussion and that paper without making some specific further recommendations of some type of action that should be taken by the Government on behalf of this House and on behalf of the people of the Territory.

Therefore, I am moving, seconded by the Honourable Member from Hootalinqua, that it is the opinion of this House that the Government undertake a further detailed study that could define in detail various alternatives that could be followed to develop an equalized electrical rate for all Yukon.

Mr. Chairman, I specifically did not put a date on that so that

it would bind the Government, if there were not sums available to, it gives them the ability to budget for this study. I think that it needs to be done, it is very essential that it needs to be done.

It is very difficult, I know that it would take a considerable expenditure of money, and I would like to see it started on this year, if not completed.

**Mr. Chairman:** I will read the Resolution. Moved by Hilda Watson, seconded by Bob Fleming, that it is the opinion of this House that the Government undertake a further detailed study that could define in detail various alternatives that could be followed to develop and equalize the electrical rate for all Yukon.

**Hon. Mr. Hibberd:** Mr. Chairman, perhaps I could ask the mover of the motion for some clarification in this. The way this is phrased, "to develop and equalize the electrical rate for all Yukon", are you precluding any other form of equalization except limiting it to one equalization over the entire Yukon? Or are you considering the various area equalization schemes that were proposed in the first paper, or are you precluding those in this motion?

**Mrs. Watson:** Mr. Chairman, no. It is good that the Honourable Member asked the question, it is an equalized electrical rate for all Yukon. So this precludes the area equalization. This specifically refers to all of Yukon. But I am saying "various alternatives that could be followed to develop" over a period of time or what "an equalized electrical rate for all of Yukon." So that does not preclude for considering going on an area in order to reach the equalized for all of the Yukon. I think the motion would give you enough scope to permit your studies to be done within the policy and the direction that the Government wants to go or to even get the direction from this study. It was made broad.

**Mr. Fleming:** Mr. Chairman, I might add to that. It does give the Government a chance to go into various ways. I would suppose that if that way would happen to be that they had to take it in areas in the Yukon and do it, and then come to the final conclusion, we would have it, more or less because we do not really tell them not to do it. However, I will say while I am here that I do not agree with that method and would not really be agreeing with that method although I happen to be standing in the House at the time.

In no way, shape, or form would I agree to a piece-meal method. However, it does not stop the Government from using that type of method here, it merely says that they will try to come to an equal rate across the Yukon, in other words, Mr. Chairman, I think that in seconding the motion, I think it is time that we really did look at it and do this very thing. We have been talking about it for years and nobody does anything. I think it is time the Government just sits down and finds a way, there has got to be a way. There has been a way everywhere else in the world, there must be a way in Yukon.

**Hon. Mr. Hibberd:** I think really what the motion is saying is that it is following up on what was implied in the paper that we have been reviewing. It is the natural sequence of events that we have a preliminary view, as we have just seen, and the direction of this House is indeed required if we intend to go on with surveys that have much more significance in terms of whether it is applicable or not.

So, I think we should welcome the resolution as being a direction given to Government. I would thank the mover of the motion for not putting a time qualification on this, because obviously, it can put restraints on that can be difficult to meet otherwise.

So, in this context, I can support the motion, Mr. Chairman.

**Mr. Chairman:** Any further discussion?

I will just read the motion again. It is the opinion of this House that the Government undertake a further detailed study



that could define in detail various alternatives that could be followed to develop an equalized electrical rate for all Yukon.

*Motion agreed to*

**Mr. Chairman:** We will go on to nine, Mr. Lengerke, are you ready for dealing with 9, dealing with the *Motor Transport Ordinance*?

**Mr. Lengerke:** Yes, you can go ahead.

**Mr. Chairman:** Nine on page 5 of the Order Paper. Mr. Lengerke, Sessional Paper Number 23, the green paper, entitled "Proposals for a Motor Transport Ordinance", be referred to Committee of the Whole for discussion.

I wonder if all Members have their copy of that green paper with them, because I have not got mine.

**Mr. Lengerke:** Can we just be given a few minutes to get out stuff?

**Mr. Chairman:** I will give you a few minutes to pick up your copies.

We can proceed now. We have a quorum.

**Mr. Lengerke:** Mr. Chairman, I was going to say that I am very pleased to see the green paper on the proposals for Motor Transportation, for the ordinance, because I think that, as we have said many times and Members do agree that, with the forthcoming development that we anticipate in Yukon and the fact that we are a transportation area, we depend on transportation so much for our livelihood and for our wherewithal, that certainly, an update of the Motor Carrier Ordinance, or such is required.

I do have some question with respect to the green paper, Mr. Chairman. I do not know if you are going to read it or how we are going to go through it.

**Mr. Chairman:** No, I was just going to say that your remarks should cease about this time, because the Minister would like to make a statement in connection with the paper.

**Hon. Mr. Hibberd:** Mr. Chairman, I just wanted to indicate some background to this. As all Members are aware, the green paper is a response to the direction given from this Assembly to develop what the Member has indicated, a more up to date legislation regarding motor transport and this green paper is brought forward to get the opinions of the Assembly on what they feel should be included in such an Ordinance.

Mr. Chairman, I would also like direction from the Committee with what form we should take in striving to gain public input into this. As the Members indicated, it is indeed an important issue in the times that we are facing here in Yukon at the present time. I believe it will be necessary to permit various people and interest groups to have an opportunity to make their representations regarding this Ordinance.

Whether there should be simply briefs that are submitted, or whether it should be a public hearing process, or just how we should go about this, I would indeed like to have Members' opinions regarding this.

**Mr. Lengerke:** Mr. Chairman, as we go through it, I have a number of points that I would question. Is it the intention of the Chair to read the Paper out loud or what are you going to do?

**Mr. Chairman:** Does the Committee want me to read the Paper? I do not think so. Everyone has had an opportunity, so you can proceed, Mr. Lengerke?

**Mr. Lengerke:** Well if I bring forward just some concerns, Mr. Chairman, I imagine what will happen is the Minister will note those and he will take those, I guess, into account for bringing forward an Ordinance, is that the way this would go?

**Mr. Chairman:** Yes, or he could respond to them when you bring them up.

**Mr. Lengerke:** The very first concern I have, Mr. Chairman, is when we are talking in the second paragraph, "motor vehicles used solely as an ambulance, hearse, for the transpor-

tation of Royal Mail and so on, my concern is I would like to see that say only Royal Mail, only mail, because the vehicles that now transport Royal Mail do transport other things as well, so I would want to be very specific and say only mail.

As we go on further down, we are talking of rental and lease vehicles coming under the proposed Ordinance. I am wondering why this should come under it. If they do, should there not be a separate classification or commodity classification for them?

We go on further down, Mr. Chairman, and we talk of persons operating taxis, rental or leasing vehicles, buses, and carrying freight, and the providing of freight depots. I would like to have the Minister's comments why freight depots are coming under the provision of the Ordinance, how they are going to come under and why they are going to come under?

Then we go on further and it states that recovery vehicles will come under the Ordinance. This is really I think a bit of a contradiction here, because it says this type of vehicle to be exempted from the provisions of the Ordinance. I think they should be governed as any other restricted PSV licence. So I think there is a question there I would like to have some clarification on.

Certainly the Chairman of the Board should be, I would like to see certainly, and I realize this is dealing with expenditures of money, but I would like to see the Chairman of the Board—

**Hon. Mr. Hibberd:** Perhaps he could indicate as he goes along what he is referring to, I have no idea what he is saying, where he is going.

**Mr. Lengerke:** Okay. Mr. Chairman, I realize the difficulty and that is why it would have been interesting to go down it point by point.

**Mr. Chairman:** Well, if the Honourable Member will sit down, I will refer the question to the Minister.

**Mr. Chairman:** The first concern was in connection with the transportation of Royal Mail, that it should be the transportation of Royal Mail only, because the vehicles now being used for the transportation of Royal Mail are occasionally used for other purposes.

**Hon. Mr. Hibberd:** Mr. Chairman, do you want me to reply to the questions that have been forthcoming to date?

As far as the provision for only Royal Mail, I would suspect that that would be the way it would come out, although I would have to know more of the technical data behind it.

On face value of what I see, I would agree only as the way it should go.

You referred to rental and lease vehicles and wondered why should they not be covered or why should they be covered. It occurs to me that these are indeed vehicles that should have this kind of restriction placed on them. They should be covered in this kind of legislation, indeed if any vehicle should be, they should be covered in this category so they could be controlled adequately.

Freight depot inclusion was one of the primary concerns of the transportation association itself. They felt that controlling the trucks themselves was not enough and they felt that there should be some area of control over the freight depots and it is being considered on that basis.

Perhaps I could have more questions, Mr. Chairman.

**Mr. Lengerke:** Mr. Chairman, in paragraph six, we do refer to the Board and to the Chairman and I was just going to say that I would hope that someplace along the line some consideration would be given to a full-time position for a chairman. I realize this has to be a government policy, but that is certainly a concern.

Maybe some other Member might have a question, Mr. Chairman.

**Mr. Chairman:** From the Chair, Mr. Hibberd, I take it that



the intention is to have the executive director a full-time employee, as distinct from a chairman, who would not be a full-time employee.

**Hon. Mr. Hibberd:** Mr. Chairman, there is to be no full-time employee of the Board. It is felt that, although it would indeed be helpful in many ways to have a full-time chairman, the amount of work that would be involved would be difficult to justify the expense that would be involved in maintaining a position on a full-time basis. There just is not the workload to justify it, at this time. I can certainly see, as the Member indicated, where this would be a consideration that would have to be kept in mind and if the volume did expand to need it, then indeed, we should have a full-time chairman.

But until a cost justify, it is hard to go along with it at the present time.

**Mr. Lengerke:** Mr. Chairman, in paragraph six where we are talking of the board and the powers of the members, I just think, and I am sure that there will be, there should be a quorum of the number of board members needed to meet, for example, at least four members. In the absence of the chairman, I think the vice chairman should sign all orders and, if they are both absent, I think the remaining members of the board, as long as I think there is a quorum, should elect a temporary chairman to sign all the orders.

I just do not think that one member signing any order, to me, it seems rather a loose arrangement anyway. That is what that infers and I have some concerns with that one.

The proposal also says that where there is a vacancy on the Board, the remaining members may exercise all the powers of the Board. Certainly I think that is okay as long as there is a quorum maintained.

**Hon. Mrs. Whyard:** Mr. Chairman, on this paragraph, I wonder if the Honourable Member could advise me as to his opinion on how you make appointments to such a Board which requires a certain amount of experience and expertise in a special field without appointing people who will have a conflict of interest and in view of the second paragraph below, where we see that the Board must be in a position to act independently in the granting of authorities and even underlining the fact that there must be no conflict, and on the other hand, if they have no experience in that industry are they going to be valuable members of the Board? I think this is the problem that faces this Government at every turn when we try to set up an advisory body. I would be interested in hearing the comments, Mr. Chairman, of the Honourable Member.

**Mr. Lengerke:** I recognize that difficulty, Mr. Chairman, I do. As the Member says we face that just about every time. I really have no answer for it. Certainly many times I think people should be appointed to the Board that certainly have really tremendous knowledge of this instance, of the transportation industry. Of course they would have a conflict, so where do we go. It is difficult, I know, I know the Minister has the same concerns.

**Hon. Mr. Hibberd:** Mr. Chairman, I only have one comment to make on that. I would like to point out that this Board is indeed going to have a good deal of authority, it is going to be a very important Board in terms of the transportation industry here and it is of the utmost importance that people who serve on that Board are of the highest calibre that we can possibly get to serve on that Board.

There might a degree of conflict of interest in some areas involved, but we must have quality people to serve on this Board.

**Mrs. Watson:** Mr. Chairman, is the Minister familiar with how other jurisdictions, the composition of their boards, do they have just lay people appointed to their boards or do they have a permanent board established by the Government?

**Hon. Mr. Hibberd:** Mr. Chairman, they are permanent

boards, but I am not aware of the method by which they are assigned to that Board.

**Mr. Fleming:** Mr. Chairman, I only have a couple of comments to make that might be of interest to the Minister later on. I am glad to see that he has recovery vehicles in here at this time in the Yukon Territory that something has been done with the recovery vehicles.

As it stands to date, there is really no legislation other than you have to have a licence to operate one but there is absolutely no guidelines whatsoever as to who should have one, what it should be or how it should be or really nothing, actually. There is very, very little and I would like to see some regulations in that field.

On the other one, further on where you are recommending some of the things that should be done, I see the location of depots and you are speaking of all depots then and I would presume bus depots, especially too in the Territory which I think are well needed and should have been had a long time ago. When transportation companies can come in and haul people up and down a highway, 1,100 or 1,200 miles, you might say from Dawson Creek to Fairbanks, I do think there is only one or two bus depots in the bigger centres and of course, the States do what they like but even if they do it that way, I do not like it. I think it is time we had something saying that the bus companies will have a place, especially in the winter time, that a person can sneak in out of a forty below wind anyway and get behind it anyway if nothing else.

There is nothing being done in that field whatsoever and I would say yes, I would welcome something in that field because I asked for it here a couple of years ago, why we were not doing something about it.

**Mr. Lengerke:** Mr. Chairman, if the Minister could explain a little further to me where, I think it is in the very last paragraph, "the board under certain circumstances, issues special certificates authorizing the operation of a public service vehicle in any area where the operation of a public service vehicle is otherwise prohibited".

I really wonder why are we allowing the board to do this? I am really not aware of any area, at present, such as this in Yukon. I do not know, is there some further thinking on that one?

**Hon. Mr. Hibberd:** The circumstances might arise, as I understand it, Mr. Chairman, where a PSV might not have been issued or there might be certain circumstances whereby it has to cover an interim situation, in which case a permit could be granted in that situation to cover that interim period until either the situation is taken care of or until there is a permanent PVS assigned, when the board has a chance to meet again.

**Mrs. Watson:** Mr. Chairman, I am really not that familiar and have not really put the time and study into it that I should have to be speaking on it and it is a very complex subject and a very important subject in the Yukon Territory.

I wish I was as familiar with it as I am with taxation. Unfortunately I am not. However, I have a question. Is there anywhere in the legislation where the Yukon Government will reflect its philosophy or overall policy of handing out operating authorities?

I am thinking of Yukon residents, in their ability to get an operating authority and the ability of larger firms coming in who are able, just by getting those PSV's, to put so many of our small people out of business.

If it is the intention of the Government, when they do bring in legislation, to define basic policies, rather than let a board establish those policies?

**Hon. Mr. Hibberd:** Mr. Chairman, the Member has raised a very good point and it is of considerable concern to many Yukoners, this problem of the person coming from outside and obtaining a PSV over those who are resident in Yukon.

I would indeed like to see it in legislative form, but, as yet, that has not been embodied. It is a point that will be taken into consideration when the legislation is drawn up.

To this time, the board does function on the basis that it does give preference to Yukon residents. Now, I know there are individual circumstances where it does not appear to be so, but I know that their primary consideration is to give the Yukon resident preference whenever possible to do so.

**Mrs. Watson:** Mr. Chairman, there is also another policy aspect of it too that has to be considered. This is the Government's involvement itself. Government gives out most of the contracts or an awful lot of the contracts in the Territory and they will give out contracts to do various things that require a PSV. The person does not have the PSV, they put in the lowest bid and then the Transport Board is almost obligated to give that individual a PSV. It is a vicious circle.

I do not think any decision has ever been made by the Territorial Government in conjunction with the Board or defined in legislation what the procedure should be on that. That in itself causes a lot of problems.

**Hon. Mr. Hibberd:** Mr. Chairman, I do not have the solution to that, I do not know what the policy is as far as bids for this Government is concerned, with concern to this particular point. I can see it being a very difficult one to solve.

It would appear to me, Mr. Chairman, that the obligation should rest on those who are submitting a bid to have the necessary equipment to be able to carry out that bid. In other words I would think the PSV would be mandatory as part of the bid, but that is my own personal opinion.

**Hon. Mr. Lang:** Mr. Chairman, I think there is another area that has to be taken into account here, is the capability of an individual to be able to perform the job. This is in a lot of the difficulties that one gets in when they are attempting to accommodate the residents in the Yukon and the people that are in the areas of business, but at the same time the ability of that individual to accomplish the task that he has set out to do. I think it has been demonstrated in the past couple of years here in some cases where there has been accommodation made to various contracts to perform a job and subsequently it has not been fulfilled.

It is a very subjective area that one is looking at, and I think you have to give enough leeway for when a board is giving out the PSV to assess the capability of an individual or company to perform the job, with the thought of Yukon preference first, but at the same time, they have to take into account whether or not they can do that job that they have set out to do on behalf of the public.

**Mrs. Watson:** Mr. Chairman, it is a vicious circle. This is very true, but they cannot count on that PSV in order that they can make the investment so that they can accommodate the job. That answers the question there. Yet, I do not think it should be a God-given right for anyone to have a PSV forever now and hand it on to his children. The Government situation, I wish that this would be resolved, because the Government, by issuing contracts, they say that a PSV is required, but they will still give the lowest bid to someone who has not got a PSV, when they have applied but they have not got one.

So by giving the contract to that person, they are almost telling the Board look, we want them to have a PSV. I think the Government is going to have to take a position on this. They do more to destruct and cause problems amongst PSV holders and giving out of PSV's than a lot of the other situations.

**Hon. Mrs. Whyard:** Mr. Chairman, I think a great deal of this is covered on page 3 in paragraph six where indications and guidelines are spelled out. One of the key sentences, Mr. Chairman, is in making an application for a permanent authority, the Board will consider the number of permits obtained by the applicant, the objections of current authority holders, and

the public need for the requested authority. I think that is one of the key lines.

**Mr. Fleming:** Yes, Mr. Chairman, I think the Member from Kluane is actually right in that it is a vicious circle.

However, the Government in letting contracts, just for your information now, I know we have had some and they have been smaller contracts and you can get a restricted for just that certain little job.

I do not know about a large job and I would think that it would be definitely on the contract. In fact, I have seen it on there that they must have it and I think the board still could actually control it and say yes or no, there is no doubt about that.

I am just wondering if, once it comes more under the government than it is actually now, we have the board I realize now, but there is really not anything in legislation here.

Once it is brought in and got into an ordinance, I am wondering if the freedom would not be more, you know, that there would not be more freedom, possibly, I would presume that in this House is where we would have to stop that or let it go, than there is today. The board today is comprised mainly of, and I think I am right, of operators of trucking firms and so forth and so on.

I ask the Minister, I presume though that the Board will be the same type then, taken from that area or will it consist of other people that are not really in the transport business?

**Hon. Mr. Hibberd:** Mr. Chairman, the board at present does not consist of operators primarily. It is predominately people who are not, at present, engaged in the transportation industry themselves. I would think that it would continue on that basis. They have experience in it, they have a background that gives them the knowledge to be able to function adequately on that board, but they are not in a conflict situation in terms of their active employment they are on the board now.

**Mr. Lengerke:** Mr. Chairman, I have, on page 2, six paragraphs down, where it says "The board shall also have the capacity to accept and appoint", this is with respect to the joint hearings, "all costs incurred by members of the board to attend joint hearings shall be borne by the applicant and the objectors".

I realize, I think that joint hearings, I think that these should be mandatory on any applications on inter-provincial or inter-territorial traffic and I think that the benefit of any of this type of application is really for the shipping public in Yukon and the cost should be borne by the board, I would think. You know, this is my own opinion.

Having objectors and the applicants pay is, in my mind, not very practical. A good example, if there were ten objectors, you would have to divide the cost of that ten ways, but if there was only one objector, he would have to pay the entire bill of this whole hearing. You might have a number of applicants, but one objector.

So, I do not know if there is practicality in that or not. I guess the objectors certainly would have to pay all their, at least what you are saying, they would have to pay their expenses, they would have to do this anyway in travelling and getting to the hearings.

So, there is a concern there anyway. I do not think that the applicants or objectors should have to pay that.

**Mr. Fleming:** I see that a little differently, however, I do not see why the applicant should be stuck for it, really, when he is a person who is just asking for a licence, that some objector says no, you cannot have it and forces him to get into an issue like this.

I am of the opinion, myself, that the objector should pay for it. That is my opinion, because he is the one who is saying no, you cannot have the licence, because I have some reasons, I

have vehicles on that road. He is the one that is doing the objecting. The applicant never did anything wrong. He only asked for what was rightfully his.

So, I would put it that the objector is the one that pays the bill.

**Mrs. Watson:** Mr. Chairman, not very often the Honourable Member from Hootalinqua and I disagree, but the applicant could be a very large company and these small objectors from the Yukon would have to bear the costs. It is a seesaw affair. Maybe the Board should be bearing the costs.

**Mr. Lengerke:** Mr. Chairman, there is another question I wonder if we go on to the next paragraph, the Commissioner on recommendation of the Executive Committee, (a) and (b) it goes on, he may make provisions of the Ordinance including, and (b) the nature of livestock, liquid goods or merchandise that need to be carried, is this not covered in the commodity classification anyway? Why would you have to make more regulations? That is just a point you do not have to answer at this time, but I think it is something that you should look at.

**Hon. Mr. Hibberd:** Mr. Chairman, I cannot help but think that this comes from the technical aspects of drawing up a bill and it is hardly pertinent to the principles we are trying to get involved with here. I would really like some direction from Committee, Mr. Chairman, as to what I indicated earlier. What kind of a public input process should we have in order to draw up this legislation? I would like to get their ideas on it.

**Mr. Fleming:** Mr. Chairman, I do not see the Honourable Member from Pelly River here or he probably would back me up in this. I am sure that a lot of people will say go completely to the public all over the Yukon Territory, but I would just ask what has so far gone with the Labour Relations Bill. You go to the little towns in this Territory and they are really not interested in some of the things, they are so many things that are just, you will have two people at a meeting where there should be 100 in some cases. In this case here I would think that the Government would definitely, of course, go to all the transport companies because they are the ones that are going to be really involved, and then I would certainly let the rest of the people in the Yukon know.

But I think to put on a real show and go around the Yukon, I am not so sure that that is really the answer, it is the answer to maybe spending a lot of money. But they certainly should know, somehow you should inform them that it is going to be done. Then they can put in their complaints.

**Hon. Mr. Hibberd:** Mr. Chairman, I am very disappointed. I have been looking forward to going to hearings in Old Crow.

**Ms Millard:** Mr. Chairman, they could use some kind of regulation, as the Minister knows, in that area in Old Crow — hint, hint. I am interested in this process of getting some information from the public. I think you have brought up a very good concept that I do not think so far has ever been really attempted in this Government. So I am glad to see it and I am glad to have some input into it.

What I have done on this is I have copied the Green Paper and I have sent it to all my constituents who I felt were interested. I think that is what all Members should do. I think we should take a very active part in trying to get some kind of input into what is happening with not only this Ordinance, but everything that is happening. So I am waiting for replies from those people. I have asked specific questions according to what they operate, say a garage or taxi or something like that, and asked them how they feel about it.

When I get responses, which I hope I do, I will forward them to the Minister. I think we could take that into consideration that we should be doing that, for sure, on all items.

**Hon. Mr. Hibberd:** Along that line, Mr. Chairman, I should mention that the Department stands ready to send out all of this information in the green paper to anyone who so

requests. It is difficult to formulate a list of who should get it. It goes on, you do not know where to stop, so I think it is wiser that we fill any requests that come our way.

So, I would like to make that known.

**Mrs. Watson:** Mr. Chairman, first we have a great ability. It would not get down into the nitty-gritty, for sure, but I think the general philosophy could be felt if the political parties for the next election took philosophical stands on how transportation, motor transportation in Yukon should be handled. It would be very good if some of the parties did come up with a support of a more liberal method of handing out PSV's or a more restrictive only where there is a need for it type of thing.

If this ever happened, this would give it the best type of publicity and also would give whoever got elected, a mandate to carry out what they, in fact, said that they would do.

**Mr. Lengerke:** Mr. Chairman, I have lots of other questions and I realize that maybe some of them would be of a technical nature and so I am certainly not going to go through this thing on that basis. I think the Minister has made a good request and made a good comment with respect to the fact that he is looking for public input.

Of course, he knows full well that we have a Transportation Association, the Yukon Transportation Association, who would be more than willing to sit down at any time. He knows this. He sat down with them already on a number of occasions and I think that kind of thing should be continued. I think that kind of input should certainly be utilized to the utmost in developing the ordinance that you are going to bring forward in the Fall.

You can do a lot of spade work with respect to that and come up with some excellent legislation just by virtue of doing it alone.

Only one concern I have with respect to policy I would just like to know just what the Government's intention is? It is dictated in this Paper just in, maybe I am wrong, I might be interpreting it wrong, but again where you say that the Commissioner on the recommendation of Executive Committee, will have the authority to do such things to and you are talking about freight rates, express rates and so on. I am just wondering, is the Government now going to get into the problems of setting freight rates, are you now going to do this, setting up and maintaining, I would imagine you would have to set up a department to do this and it would cost you a lot of money to do it, to maintain and monitor rates, is this the intention?

**Hon. Mr. Hibberd:** Mr. Chairman, at the present time no, that is not the intention of the Government. As the Member indicated, the logistics of doing this is tremendous. To be able to set this up and to monitor it would be a monumental task. I should add that this is not the procedure that is followed in other jurisdictions. The rates are filed, it is mandatory to file the rates. They are open for public review at any time. But the rates are not set in other jurisdictions.

**Mr. Chairman:** I wonder if I could ask a question of the Minister from the Chair. It was my understanding when we were in Alberta some time ago that it was possible there for any bona fide resident to obtain a PSV licence without any frills whatsoever and take his own chances on going broke. Are you intending to make it that open in the Territory so that any resident of the Yukon Territory that has the cash to buy a truck can get into the public service business without having to be protested and everybody objecting to him having one?

**Hon. Mr. Hibberd:** No, Mr. Chairman, it is not our intention to get involved in the marketplace to that extent. It is not the usual thing in other jurisdictions because indeed everyone would go broke.

**Mr. Chairman:** Any other discussion? We will declare a recess.

*Recess*

**Mr. Chairman:** Would Committee please come to order?

We have before us the Terms of Reference pertaining to the Minister's Special Representative for Constitutional Development in Yukon, which was referred to this Committee for discussion.

Ms Milard has a resolution to put before the House in connection with this paper and we are giving her the opportunity of presenting the resolution and speaking to it.

**Ms Millard:** Thank you, Mr. Chairman. The resolution is just being typed up, so when it comes, I will certainly make it news to everybody.

In the meantime, I would like to make a few comments about the terms of reference of the Minister's Special Representative for Constitutional Development in the Yukon Territory.

The first thing I would like to point out are the main difference between the terms of reference here and the ones that were given to the Northwest Territories for the Special Government Representative for Constitutional Development in the Northwest Territories.

There are four main differences, apart from the fact that the Northwest Territories appointee is appointed by the Prime Minister and ours is only appointed by the Minister of Indian Affairs and Northern Development, which is presumably a minor difference.

There are four distinct differences, which most of them I find relevant to the fact that we are being treated quite differently from the Northwest Territories.

The first really important difference is that in our terms of references, number 1.(1), we are told that this gentleman would have the right to conduct informal consultations with various people towards changing the institutions in Yukon, short of provincial status. That is not specified in the Northwest Territories terms of reference and I find that really completely unacceptable and quite insulting.

The second main difference is, under the same Section number 1.(4), we are told that this man is going to have to consider generally the implications of a lack of territorial financial self-sufficiency.

Now again, that is not in the Northwest Territories' terms of reference and I find it very insulting that they would give this gentlemen the ability to do that.

The third main difference is in administering resources, natural resources and in resource revenue sharing. There is a big sort of difference and I think it probably would have to be discussed very thoroughly with them to discover whether or not we are better off than the Northwest Territories, in both cases, the Federal Government still wants to retain the right of the actual resources which, of course, to us, is the key to independence.

In ours, we are being allowed to administer natural resources on behalf of the Federal Government. In the Northwest Territories there is a discussion of resource revenue sharing with Federal ownership. Federal ownership is not specified in our terms of reference, but I wonder if they just were a little afraid of actually putting it down in black and white.

The fourth main difference is that in the Northwest Territories, the man who is going to be the special representative there is told that he should expeditiously implement his recommendations or come to his recommendations. In ours, we have one year which is completely impossible, as far as I am concerned. In one year's time, as we all know, there will be a new Assembly, they will have only been active for three or four months, so we are really being virtually told that we will not have very much input into what is happening with something that is extremely important in the Yukon Territory.

I would like to urge Members to pass a motion which does not approve of these terms of reference. I cannot approve of

them myself because of the basic concept of a special representative. We have debated this and rejected it. The Constitutional Committee of this House tabled a report stating that we did not want a special representative and just rejecting the whole idea.

We have also found that it is unworkable in the Northwest Territories. Any experience they have had over there has been negative with the special representative. Beyond all that, there is the general concept that it is completely undemocratic. It is another step in the colonial progress downward that we have been seeing over and over again.

I could not approve this because of it being short of provincial status. I think that sure we can discuss a lot of things with the Federal Government, but they are putting their own terms on it. It should be less than something that maybe the people of Yukon want. We do not even know what the people of Yukon want. Are we going to tell them that no, you do not want provincial status right from the beginning?

This is also tying responsible government to financial self-sufficiency. I do not believe that is a normal concept in a federalist society. I think that we should be, simply by democratic means and natural progress, having our own responsible government. It should not be tied to financial self-sufficiency, and financial self-sufficiency is certainly debatable. They are not even debating it, they are kind of implying that because we do not pay our own bills at this point that we will never be able to.

I find the conditions for the implementation of controls on natural resources are again unacceptable. It continues to tie us to economic dependency on the Federal Government, which obviously is what they want.

I feel that again back to the one year limit, over the next year the CYI is going to be having to do a lot of discussion on constitutional development itself and how is it going to fit into our system after land claims. I do not feel they would agree to one year term. I do not know what their opinion is on this because I have not discussed it with them, but I would feel that we are not only hampering ourselves, but also the native people in their land claims.

The most despicable part of this whole terms of reference is that the representative that the Minister wants to appoint is consulting and recommending in areas which are our responsibility in this House.

He is consulting on the legislative amendments to Territorial ordinances. He is to co-ordinate with land claims, concerning administrative adjustments within the YTG. He is to be recommending a phased restructuring of political institutions in Yukon. He is going to be talking about the allocation of responsibility between the YTG and local government bodies — if that is not our responsibility I do not know what is. He is going to be promoting native participation — that is our first responsibility. He is going to be talking about economic development.

All these things he is going to be doing without direct assistance from this House and that is so totally undemocratic we cannot go along with it.

In his efforts, he is going to be assisted, by the way, by an advisory group of Yukoners. He may be assisted, if you will note in the terms of reference, by an advisory group. Well, that is just adding insult to injury, because we have had enough of advisory groups and certainly the advisory groups the federal government or any federal government representative has never had any positive response.

So, this gentleman's final recommendations, also, show no provision for Yukon input after the recommendations are made to the federal government. So, we are hemmed in now and we are going to be further hemmed in if we support these terms of reference.

The question, Mr. Chairman, really is, are we willing to sit

here and remain a colony or are we going to do something about it?

**Mr. Lengerke:** Yes, Mr. Chairman, again my comments will be short and sweet. That is why I asked that this particular paper be referred. We did have quite a bit of discussion and questions on when it would be coming before this House and we certainly should be reacting to it.

My reaction immediately is that we certainly do not need a third party in Yukon, a third party to assist us in looking at this matter at all. I think it infringes on our rights, our rights that we should, in fact, be looking at the terms of reference, how we want to develop this Yukon ourselves. We have a Standing Committee on Constitutional Development. They should be involved and any other committees that come as a result of the next Assembly that are structured in that way.

I would hope that there certainly would be that input.

There are so many things that are distasteful in this particular piece of, I do not know what it is, that are just completely unacceptable. There are other things in here that right now this Government, the Standing Committee has already addressed itself to.

We are looking at many of the possibilities, and there is work going on right now to come up with answers. Certainly things like statutory and other safeguards, like for instance on page 2 there, I would say that that has to be statutory and other safeguards for language culture and traditional pursuits of all people of Yukon, not just native interests.

I would suggest, on the first page, that in Yukon Territory and at the same time accommodating the legitimate interest of all groups in Yukon society. I would certainly wipe out "especially those of Indian and Metis people", because of all Yukon society.

I think these are the things that are wrong. This is Yukon. All people in Yukon have to be represented and we are best suited to come up with our own terms of reference and I would suggest that that is the way we go and not let a third party, a federal third party interfere.

**Hon. Mr. Lang:** Mr. Chairman, I just want to make a few comments on a lot of things that have already been said. One thing that really alarms me in the terms of reference is the possibility of the Minister appointing a representative. I think we saw the results of the Berger Inquiry in the Northwest Territories and seen what it has done to the economy of the Northwest Territories and probably have set them back by thirty years by an individual who was sent there to assess the situation in the Northwest Territories, make recommendations, and now does not have to live with the results of those recommendations. I think that is very, very important that people realize that if this were to go ahead, we could quite conceivably get somebody that is high political profile, and have to live with the results of them whether we like it or not.

I think the Lysyk Inquiry demonstrated to Yukoners that we do have people of calibre that can go and hear the views of people and at the same time come up with a report that is balanced, and at the same time overall acceptable to the people of the Yukon.

I think there is one thing that should be mentioned, Mr. Chairman, that is the fact that within six months time we are going to have an election. I think that is a very important factor that has to be taken into consideration. As far as I am concerned, the next election will be probably one of the most critical in Yukon's history with the developments that are taking place in Yukon and the various problems that we are confronted with with the Federal Government. With the evolution of political parties, this is going to necessitate a platform across the Yukon that a party will have to run on. I think it will give a fair demonstration as far as the Government of Canada is concerned that there is a platform that has been developed and

that is what the people of the Yukon want.

I think there is one important major point here that has not been touched on so far in debate, and that is in the terms of reference in 1.(3) which states "to co-ordinate these activities with negotiations taking place concurrently on land claims between the CYI and the Federal Government". If you will note in that particular statement that the Federal Government in its terms and conditions is not recognizing the Government of Yukon formally at the land claim negotiations, which is one of the most important political issues at the present time facing Yukon.

I think the Government of Yukon must get this position clarified because we are under the impression that we were to be a third party that is recognized and one of the major people involved in those negotiations. I think at the same time, in conclusion, Mr. Chairman, the 1.(7) is a real slap in the face and it states, "to report progress regularly to the Minister of Indian Affairs and Northern Development to make final recommendations for action by the Federal Government within one year." It does not even mention the Government of the Yukon or the Legislature of the Yukon which is embodied with that responsibility.

**Hon. Mrs. Whyard:** Mr. Chairman, I have very little to say except that I welcome this resolution coming from the Assembly. It gives support to the opinions of your Members of Executive Committee at the legislative level and it cannot do anything but good. Mr. Chairman, I want all Honourable Members to be very clear about the stand that at least one Member of the Executive Committee on that paper and the position I had was communicated very briefly to the Minister when he handed it to us.

That was, that it is redundant, unnecessary, after the fact, he has already a report from the Standing Committee on Constitutional Development in this Government saying how it should be proceeded with. There is no need to waste time and money and man years to do another kind of approach to the same job. Mr. Chairman, I must add that was not a very popular opinion to hand to the Minister. Obviously someone in the Department has decided that this is what is going to happen.

It intrigues me, Mr. Chairman, to find that there are always dollars and man years available if somebody in the Department in Ottawa wants to put on another committee or inquiry. But if we ask for them, there are not any dollars or man years. It is a good resolution, I have no problem with it, and I hope sometime soon somebody will listen to it.

**Mrs. Watson:** Mr. Chairman, I thank the Honourable Member for doing all the work she did on the terms of reference and her comparisons with the Northwest Territories. I am afraid I have not done that. She certainly assisted me, and I think she did many other people.

I would support the motion right down to unacceptable to this Assembly. I wonder, I will support the motion, but I wonder whether the Standing Committee for Constitutional Development at this stage of the game wants to be the body that develops terms of reference for this type of hearing process. We are rejecting the process to start with and then we are saying our Constitutional Committee will work with you to develop terms of reference.

I think we should just say it is unacceptable to us. Going into an election, and I know that the constitutional future of the Territory is going to be a part of parties' election platforms. I wonder whether we are assuming something that the new Members of the Legislature will have to take a position on on behalf of the parties that they represent?

I would favour, I would support the motion so that you can say unanimously, but I would favor it just saying it is unacceptable to us. If it is unacceptable then we do not want to even bother looking at terms and conditions of this kind of a hearing

in the Territory. We do not like that, so why bother with terms and conditions.

I will accept it, but I would prefer to have that bottom part deleted.

**Hon. Mr. McKinnon:** Mr. Chairman, I do not read the motion in that way at all. I just do not want to get into all the bumph of this verbiage that is in front of this on these terms of reference, except to say one thing.

I have not heard of a reincarnation in the East lately, regardless of what people would have you believe, and there is not a man that I know of in the face of Canada who could fulfill the terms of reference that this garbage calls for, Mr. Chairman. He is just not present. There is a very intelligent and a very capable person who has been given the direction in our sister Territory. Mr. Chairman, we all know of the impossibilities that he is meeting with in coming to grips with this situation. No wise man from the East, Mr. Chairman, is going to come on a shiny white charger to the Yukon and let the people of the Yukon know what should be done in any way, shape or form about constitutional development and political reform in the Yukon.

There has never been in the course of history, and we just have to look to our brothers and sisters in the State of Alaska for the last experience, that was not generated from the people at a grassroots level. This is just another in the long line of procrastination verbiage to try and prevent the evolution of responsible institutions in the Yukon at the earliest opportunity, and the way it was borne and in the controversy that it was was just another example of how, if anything is going to be done, it is going to have to be done from the people of the Yukon taking it into their hands and starting from square one, Mr. Chairman.

That is exactly what I see this resolution giving the Constitutional Committee the ability of doing. We reject the Minister's proposal or whoever dreamed it up out of hand, and we say give a political body, an elected body, the ability of dealing with other Yukoners regardless of what level, the political level, the level of the L.I.D.'s, the level of the general public, groups, organizations, the native representations, the native political leaders, anybody and all Yukoners who are interested in developing reform at the Yukon level, let's have an elected group who have the ability to be able to at least begin a process of coming up with what the public of the Yukon from all aspects and all walks of life see developing in Yukon from a constitutional point of view in the next few years.

Mr. Chairman, I do not see by the resolution that this ties us in any way, shape, or form of doing anything in conjunction with the Minister of Indian Affairs and Northern Development, or coming up with any answer to the terms of reference that he has proposed, but rather coming up with a specific and a unique plan coming from all the people of the Yukon to give, as a fait accompli, not asking the Minister, but by your leave is it okay that we can do this. This is what the people of the Yukon want, this is what the people of the Yukon demand, this is what the people of the Yukon are going to do, and I do not care what your concept is of it, this is what the people of the Yukon have said and ignore us Mr. Minister, and ignore us Federal Government, at your own peril because your time is just getting a little short, Mr. Chairman.

**Mr. Fleming:** Mr. Chairman, I do not think after all the Members have had their say that I have much to say. I think it has all been said, and I will absolutely agree with everything, and also agree with the motion.

I still have the little difference to the latter part, this is laying the work on a committee now that may not even be here in the next election. There may be another one. I have no problem with the motion at all. However, I did not have to go any further than the first paragraph when I started to see the Federal Government and the Ministers always been putting something

in as the Indian people or something, now I see they have the Metis people and Indians. Well what are they going to include next? I just get tired of listening to their stuff.

When I read the first line the Minister's Special Representative to the Government of the Yukon Territory shall be appointed by the Minister, that is enough there. He is going to conduct everything, we are just undermined entirely, we have a foreman now that is going to run us between the Minister and here. We do not need that, they do not need us, if we put this paper through. There is no need for us whatsoever, we are finished, done. So I am going to support this motion and I spoke to the Member that put it forth before and said that she could do it very simply and have it say further, burn it, and we should have burned it.

**Hon. Mr. Hibberd:** Mr. Chairman, it would appear that we are rapidly approaching the stage of unanimity as far as the opinions regarding this paper are concerned.

I view that with some irony in view of the fact of how this was so well protected on this side of the House from the prying eyes on the other side and nobody wanted it anyway.

Mr. Chairman, I do think that the last part does have some value, the resolution. I think that we are too often accused of reacting to what the Federal government places before us and I think that it is time that we did take a positive stance albeit before an election, but we should take a positive stance and go from there.

We must have our own terms of reference and we must be able to react from that kind of a background of our own, in a positive direction instead of merely reacting to what is placed before us by a Minister who is not very familiar with what our problems really are.

**Mr. Chairman:** Anything further?

**Some Members:** Question.

**Mr. Chairman:** I will just say that I am disappointed that the Member from Pelly is not here because his salty language would have improved the tenure of the discussion.

*Motion agreed to*

**Mr. Chairman:** We are not able to proceed as we had planned because there is a search party out looking for the Commissioner, so I will declare a recess until such time as the Commissioner has been found.

*Recess*

**Mr. Chairman:** Would Committee please come to order.

The lost has now been found and I will entertain the motion.

**Mr. McCall:** Yes, Mr. Chairman, I would move that Mr. Speaker do now resume the Chair.

**Mr. Fleming:** I second that.

**Mr. Chairman:** It has been moved by Mr. McCall, seconded by Mr. Fleming, that the Speaker do now resume the Chair.

*Motion agreed*

*Mr. Speaker resumes Chair*

**Mr. Speaker:** I will now call the House to order. May we have a report from the Chairman of Committees?

**Mr. McIntyre:** Mr. Speaker, the Committee of the Whole has considered Bill Number 17, *An Ordinance to Amend the Taxation Ordinance* and directed me to report the same with amendment.

The Committee have also considered a motion respecting a brief from the Yukon Outfitters' Association and directed me to report as follows: that it is the opinion of this House the Territorial Government should continue studies and field work in order to establish an accurate inventory of the grizzly bear population of the Yukon, and that pending the delivery of the data from this work, the present system of restraint of grizzly bear harvest practised by the outfitters in co-operation with the

Game Department should be continued until the end of 1979, at which time a new management system policy can be implemented. However, this should not preclude the Game Branch from intervening where necessary in areas where evidence dictates that there is a danger of serious depletion of the grizzly bear population.

The Committee also considered a motion respecting the Memorandum on Electrical Rate Equalization and directed me to report as follows: that it is the opinion of this House that the Government undertake a further detailed study that could define in detail various alternatives that could be followed to develop an equalized electrical rate for all Yukon.

The Committee also considered a motion respecting the Green Paper on Proposals for a Motor Transport Ordinance and directed me to report progress on same.

The Committee also considered a motion respecting the terms of reference for the Ministers Special Representative for Constitutional Development in Yukon and directed me to report as follows: that it is the opinion of this Legislative Assembly that the terms of reference for the Ministers Special Representative for Constitutional Development in the Yukon Territory are unacceptable to this Assembly and that the Standing Committee for Constitutional Development, at the earliest possible date, formulate specific terms of reference for a constitutional development in Yukon and present these terms to this Assembly and the Minister of Indian Affairs and Northern Development.

The Committee ask leave to sit again.

**Mr. Speaker:** You have heard the report of the Chairman of Committees, are you agreed?

**Some Members:** Agreed.

**Mr. Speaker:** Leave is so granted.

**Hon. Mr. McKinnon:** Mr. Speaker, pursuant to Standing Order 58, I would ask leave of the Assembly to proceed with the first and second reading of amendments to Bill Number 17, and with the third reading of Bill Number 17 at this time.

**Mr. Speaker:** Does the Honourable Member have leave?

**Some Members:** Agreed.

**Mr. Speaker:** Proceed.

#### **Amendments to Bill Number 17: First and Second Reading**

**Hon. Mr. McKinnon:** Mr. Speaker, I move that the amendments to Bill Number 17, *An Ordinance to Amend the Taxation Ordinance* be now read a first and second time.

**Mr. Speaker:** It has been moved by the Honourable Minister of Highways and Public Works that the amendments to Bill Number 17 be now read a first and second time.

*Motion agreed to*

**Mr. Speaker:** When shall the Bill be read for the third time?

#### **Bill Number 17: Third Reading**

**Hon. Mr. McKinnon:** Now, Mr. Speaker, I move that Bill Number 17, *An Ordinance to Amend the Taxation Ordinance* be now read a third time.

**Mr. Speaker:** It has been moved by the Honourable Minister of Highways and Public Works that Bill Number 17 be now read a third time.

*Motion agreed to*

**Mr. Speaker:** Are you prepared to adopt the title to the Bill?

**Hon. Mr. McKinnon:** Mr. Speaker, I move that Bill Number 17, *An Ordinance to Amend the Taxation Ordinance* do now pass and that the title be as on the Order Paper.

**Mr. Speaker:** It has been moved by the Honourable Minister of Highways and Public Works that Bill Number 17 do now pass and that the title be as on the Order Paper.

*Motion agreed to*

**Mr. Speaker:** Bill Number 17 has passed this House.

**Mr. Speaker:** The House is now prepared to receive Mr. Commissioner in his role as Lieutenant-Governor to give assent to certain Bills which have passed this House.

This House now stands in recess.

#### **COMMISSIONER ENTERS THE CHAMBERS ANNOUNCED BY THE SERGEANT-ARMS**

**Mr. Speaker:** Mr. Commissioner, the Assembly has passed a number of Bills to which, in the name and on behalf of the Assembly, I respectfully request your assent.

**Madam Clerk:** Bill 9, *An Ordinance to Amend the Community Assistance Ordinance*; Bill 10, *An Ordinance to Open a Certain Portion of Land in the City of Whitehorse*; Bill 11, *An Ordinance to Amend the Highways Ordinance*; Bill 12, *An Ordinance to Amend the Medical Profession Ordinance*; Bill 13, *An Ordinance to Amend the Students' Financial Assistance Ordinance*; Bill 14, *An Ordinance to Amend the Tobacco Tax Ordinance*; Bill 15, *An Ordinance to Amend the Stabilization Fund Loan Ordinance*; Bill 16, *Special Rural Development Agreement (Special ARDA) Ordinance*; Bill 17, *An Ordinance to Amend the Taxation Ordinance*; Private Members Public Bill Number 101, *An Ordinance to Amend the Mining Safety Ordinance*.

**Mr. Commissioner:** Mr. Speaker, I hereby give assent to the Bills as enumerated by the Clerk.

*Mr. Speaker resumes Chair*

**Mr. Speaker:** I now call the House to order.

May I have your further pleasure at this time?

**Mr. Lengerke:** Mr. Speaker, I move that we do now call it five o'clock.

**Ms Millard:** I second that.

**Mr. Speaker:** It has been moved by the Honourable Member from Whitehorse Riverdale, seconded by the Honourable Member from Whitehorse Ogilvie, that we do now call it five o'clock.

*Motion agreed to*

**Mr. Speaker:** This House now stands adjourned.  
*Adjourned*



# The following Legislative Returns were Tabled on April 27, 1978

78-1-30

Telephone Operations in Yukon  
(Oral Question - April 20, 1978 - Page 378)

78-1-31

Teslin Gravel Availability  
(Oral Question - April 24, 1978 - Page 396)

78-1-32

Railroad Extension from Alaska Convention  
(Oral Question - April 25, 1978 - Page 42)

78-1-33

Optometric Examinations  
(Oral Question - April 24, 1978 - Page 397)

78-1-34

ERPU/Clinton Creek Mine  
(Written Question No. 31 - December 5, 1977 - 1977 - 2nd)

78-1-35

Cassiar Asbestos Moving  
(Oral Question - April 20, 1978 - Page 378)

## The following Sessional Papers were Tabled on April 27, 1978

78-1-43

Letter re: Workers' Compensation Board

78-1-44

Programme for Pioneers - Cost and Delivery

LEGISLATIVE RETURN #31  
(1978 First Session)

Mr. Speaker,  
Members of the Assembly

On April 24, 1978, Mr. R. Fleming asked the following question:

"I am wondering if there is anything this year that will allow the residents of Teslin to go somewhere and get gravel?"

The answer to the question above is as follows:

Some time ago discussions on this question were held with the L.I.D. Basically the Federal Government, Land Resources, have indicated their willingness to assist the community (L.I.D.) in identifying a location. Once a location has been identified the administration of the pit operation could be handled by the Federal Government through the local RMO or by the L.I.D.

The L.I.D. should contact the Land Resources Branch in order to cooperatively select a site and further determine whether or not they wish to accept the responsibility of managing a local gravel pit.

April 26th, 1978.

Signature

LEGISLATIVE RETURN  
(1978 First Session)

#32

Mr. Speaker,  
Members of the Assembly

On Tuesday, April 25, 1978 Mr. Berner asked the following question:

"The Government of Alaska recently had meetings concerning the feasibility of a railroad extension from the southern states to Alaska. Was the Minister asked to attend these meetings?"

Mr. McKinnon replied: "No"

Mr. Berger then wanted to know if anyone else had been invited?

THE ANSWER TO THE ABOVE QUESTION IS AS FOLLOWS:

A letter has been received by the Commissioner from Alaska Governor Jay Hammond proposing a meeting of officials to discuss the feasibility of a cost-benefit study of a transcontinental railway from Alaska through the Yukon and British Columbia to the southern United States. The meeting has been proposed for late May in Alaska and would be at the officials' level. It is understood that invitations also have been sent out to British Columbia, Alberta, Transport Canada and the United States Department of Transportation. No response to the invitation has been made as yet.

April 26 1978  
Date

Signature

LEGISLATIVE RETURN #33  
(1978 First Session)

Mr. Speaker,  
Members of the Assembly

On April 24, 1978, Ms. Millard asked the following question:

"Some time ago the question of including optometric examinations in YHCIP was discussed and I am wondering how far along that is? Has an answer been given on whether or not that might be included in the near future?"

The answer to the question above is as follows:

No.

Some difficulties are being experienced in determining just what the actual costs would be to the Plan. e.g. If every resident were to avail themselves of the service -- one examination every two years at \$10.00 the cost would be in excess of \$100,000 per year on average.

Quite obviously this would require some adjustment to premium rates but by the same token not everyone will use the service. To develop a reliable user non user ratio is the prime difficulty at this time.

April 26, 1978.

Signature



1. Describe each situation as it is for someone with that trait. Do not write how one feels. (Sensational instead of thoughtful or not as powerful as you are but the listener you is better off)

- |     |  |
|-----|--|
| 17  | Mineral Legislation                        |
| 18  | Corporate and Personal Income Taxes        |
| 19  | Mineral Exploration                        |
| 20  | Mineral Production                         |
| 21  | Infrastructure for Mineral Development     |
| 22  | Benefit/Cost of Further Mineral Processing |
| 23  | Canadian Concern in Mining Industry        |
| 24  | Environmental Legislation and Concerns     |
| 25  | Global Concerns                            |
| 26  | Mineral Impact                             |
| 27  | Mineral Development - Globalization        |
| 28  | International Mining Investment            |
| 29  | Mineral Development and Mining             |
| 30  | Mineral Legislation and Mining             |
| 31  | Mineral Legislation and Mining             |
| 32  | Mineral Legislation and Mining             |
| 33  | Mineral Legislation and Mining             |
| 34  | Mineral Legislation and Mining             |
| 35  | Mineral Legislation and Mining             |
| 36  | Mineral Legislation and Mining             |
| 37  | Mineral Legislation and Mining             |
| 38  | Mineral Legislation and Mining             |
| 39  | Mineral Legislation and Mining             |
| 40  | Mineral Legislation and Mining             |
| 41  | Mineral Legislation and Mining             |
| 42  | Mineral Legislation and Mining             |
| 43  | Mineral Legislation and Mining             |
| 44  | Mineral Legislation and Mining             |
| 45  | Mineral Legislation and Mining             |
| 46  | Mineral Legislation and Mining             |
| 47  | Mineral Legislation and Mining             |
| 48  | Mineral Legislation and Mining             |
| 49  | Mineral Legislation and Mining             |
| 50  | Mineral Legislation and Mining             |
| 51  | Mineral Legislation and Mining             |
| 52  | Mineral Legislation and Mining             |
| 53  | Mineral Legislation and Mining             |
| 54  | Mineral Legislation and Mining             |
| 55  | Mineral Legislation and Mining             |
| 56  | Mineral Legislation and Mining             |
| 57  | Mineral Legislation and Mining             |
| 58  | Mineral Legislation and Mining             |
| 59  | Mineral Legislation and Mining             |
| 60  | Mineral Legislation and Mining             |
| 61  | Mineral Legislation and Mining             |
| 62  | Mineral Legislation and Mining             |
| 63  | Mineral Legislation and Mining             |
| 64  | Mineral Legislation and Mining             |
| 65  | Mineral Legislation and Mining             |
| 66  | Mineral Legislation and Mining             |
| 67  | Mineral Legislation and Mining             |
| 68  | Mineral Legislation and Mining             |
| 69  | Mineral Legislation and Mining             |
| 70  | Mineral Legislation and Mining             |
| 71  | Mineral Legislation and Mining             |
| 72  | Mineral Legislation and Mining             |
| 73  | Mineral Legislation and Mining             |
| 74  | Mineral Legislation and Mining             |
| 75  | Mineral Legislation and Mining             |
| 76  | Mineral Legislation and Mining             |
| 77  | Mineral Legislation and Mining             |
| 78  | Mineral Legislation and Mining             |
| 79  | Mineral Legislation and Mining             |
| 80  | Mineral Legislation and Mining             |
| 81  | Mineral Legislation and Mining             |
| 82  | Mineral Legislation and Mining             |
| 83  | Mineral Legislation and Mining             |
| 84  | Mineral Legislation and Mining             |
| 85  | Mineral Legislation and Mining             |
| 86  | Mineral Legislation and Mining             |
| 87  | Mineral Legislation and Mining             |
| 88  | Mineral Legislation and Mining             |
| 89  | Mineral Legislation and Mining             |
| 90  | Mineral Legislation and Mining             |
| 91  | Mineral Legislation and Mining             |
| 92  | Mineral Legislation and Mining             |
| 93  | Mineral Legislation and Mining             |
| 94  | Mineral Legislation and Mining             |
| 95  | Mineral Legislation and Mining             |
| 96  | Mineral Legislation and Mining             |
| 97  | Mineral Legislation and Mining             |
| 98  | Mineral Legislation and Mining             |
| 99  | Mineral Legislation and Mining             |
| 100 | Mineral Legislation and Mining             |

3) Upon the request of Y.P.O., D.I.A.N.D. was requested to include within the terms of reference of the Clinton Creek study, an assessment of government's role in the mining industry. While not included as a part of the Clinton Creek study, D.I.A.N.D. decided to develop a Mining Strategy for the North (K.M.I. and Hudson). This comprehensive study will cover topics such as

1. A study conducted during the second semester of the year 1978-79, during the spring of 1979. The study was a joint effort of the Economic Research and Planning Unit of I.T.O. and the Northern Social Research Division of the Department of Indian Affairs and Northern Development. I.T.O.'s role in this study was co-ordination of the study and to manage the project. Our main objective was to determine the impact of DIAD's role was to actually conduct the study and to write the report.

1500110Z SE ST UNCLAS&B EAOQF 24Z CS ZANSUR 24Z

- [illegible]

200718

[illegible]

45 #

#35

