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Speaker: The Honourable Donald Taylor

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Mr. Speaker: I will now call the House to order.
We will proceed with Prayers.

Prayers

Mr. Speaker: We will proceed at this time with the Order Paper. Are there any Documents for Tabling?

ROUTINE PROCEEDINGS

TABLING OF DOCUMENTS

Hon. Mr. Hibberd: Mr. Speaker, I have for tabling the Annual Report of the Transport Public Utilities Board for the fiscal year beginning March 31st, 1978.

Hon. Mrs. Whyard: Mr. Speaker, I have for tabling a report on Health Conditions in the Yukon Territory, 1977.

Mr. Speaker: Are there any further Documents or Correspondence?

Mr. Lengerke: Mr. Speaker, I have for tabling the brief concerning the green paper on Proposals for the *Motor Transport Ordinance*.

Mr. Speaker: 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. Mrs. Whyard: Mr. Speaker, during the earlier portions of this Session, I brought to the attention of this House my concerns regarding the serious financial effect of the proposed new block funding of Social Services on our Territorial Budget.

At that time, Mr. Speaker, our estimates showed an expected shortfall of some \$160,000 this year, and a total loss of some \$5 million over the ten year period to be covered by this proposed block funding.

We have now had an opportunity to conduct and complete a specific internal study of our position under the new *Social Services Financing Act*, and have disclosed even more serious negative implications for Yukon. On the basis of Federal statistics alone, the proposed level of Federal support will fall far short of our Yukon needs, as the proportion of costs covered by Federal contributions falls steadily in the later years of the agreement.

The main purpose of the Federal legislation, Mr. Speaker, is to raise the national average per capita grant from its present level of \$22 to over \$70 while phasing out provincial differentials over the ten year term of agreement. However, the Yukon per capita contribution is already \$50, as opposed to the national average of \$22, and this amount will rise only to the national average of \$70, while our projected costs will continue to rise to \$130 per capita level at the end of the 10 year period.

The high levels of Yukon per capita costs are readily explained by the low population base and the higher living costs in the North, thus all our social services cost more to deliver per person than they do in Southern Canada. *The Social Services Financing Act*, in its present form, presupposes that the northern Territories can be blended into a national average within a decade. This inherent fallacy requires prompt recognition and relief from its implications if Yukon is not to be locked into an agreement under which it must bear an ever-increasing share of actual costs.

The magnitude of the shortfall which develops after a few years of block funding of certain social services in Yukon, raises the question of underlying responsibility for provision of these services. While the overall effect of the *Social Services Financing Act* is to lessen Federal involvement in provincial programs. The Legislation prohibits any resident requirement

for Canadian citizens and landed immigrants and I referred to this yesterday, Mr. Speaker.

This requirement carries at least an implication of national standards of levels of service which Health and Welfare Canada undertakes to support in an adequate fashion. Given that underlying responsibility, some additional assistance to the northern territories is necessary to redress the imbalance which results from the new program of block funding.

The appropriate level of assistance, Mr. Speaker, is the gap between the Federal contribution offered under the *Social Services Financing Act* and the Yukon per capita payments for these social services in any given year. Only by closing this gap, will Yukon become a full and equal participant in the revised financing arrangements under the new *Social Services Financing Act*.

As a matter of interest to Members, Mr. Speaker, the social services which will be transferred to block funding under the new Act, basically includes what used to be funded under the Canada Assistance Plan for welfare administration, child welfare services and children's group homes, and what is now funded under the vocational rehabilitation plan for disabled persons covering rehabilitation services, alcoholism and drug abuse and the detoxication centre. Under the present Young Offenders Agreement, they will transfer the Youth Services Centre and program.

Remaining under the Canada Assistance Plan will be social assistance, day care and social service agencies and the senior citizens facilities now receive established program funding.

Mr. Speaker, you can see that it is a very complex financial situation. The total amount required to put Yukon on a comparable footing with the provinces in our opinion, having made this special study, is estimated to be \$11,210,000, over the ten year period.

The total shortfall of \$11.2 million must form the basis of our claim on Ottawa for adequate funding, under the *Social Services Financing Act*.

Mr. Speaker, we are communicating these facts to the Federal Cabinet Ministers involved and I have asked the Commissioner to urge immediate financial adjustments through Treasury Board, prior to any further consultations regarding the new block funding agreement.

Thank you, Mr. Speaker.

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

This then brings us to the Question Period.

QUESTION PERIOD

Question re: Constitutional Development

Hon. Mr. Lang: Yes, Mr. Speaker, I have a question for the Commissioner this morning. Is the Minister of Indian Affairs and Northern Development still actively pursuing the concept of constitutional review process in Yukon?

Mr. Commissioner: Mr. Speaker, that question should be addressed to the Minister of Indian and Northern Affairs and if the Honourable Member wishes to raise that as a position on the Executive Committee, he is certainly aware that we would proceed after that question for an answer.

Question re: Bid Bonds

Mr. Fleming: Yes, Mr. Speaker, a question for the Minister of Local Government, regarding Bid Bonds. There was a question asked by myself at the first part of this Session. I have not been able to get the exact answer that he gave me to that because of a loss of some papers somewhere. I cannot find them, but, at that time, I asked if Bid Bonds could be put forward in the form of Canadian securities and the answer was, when it came back on paper, yes, this was possible to use Canadian securities for deposits on contracts.

Since then, there has been some, in the Government, that says no, that is not so, even though they have read the answer that the Minister gave me. I would like to ask the Minister again, just a specific one on Canada Savings Bonds.

Now, I realize that if a Canada Savings Bond, Mr. Speaker, is not paid up at the time that this could not be accepted, but if a Canada Savings Bond is completely up and in possession of the holder that is asking for the contract, can he use that bond as deposit on the contract?

Hon. Mr. McKinnon: Mr. Speaker, I understood that that was a security that was acceptable, but I will certainly get a definitive answer from my officers for the Honourable Member.

Question re: Awarding of Electrical Franchise

Mr. Lengerke: Mr. Speaker, a question for the Minister of Consumer Affairs. I am wondering, could the Minister report any progress or developments with respect to the awarding of an electrical franchise for the fringe area of Whitehorse, or can he report any progress in respect to extending electrical power to the Marsh Lake area. I believe that topic was raised the last session and the Minister was working on that. I would like to know just what has happened in respect to NCPC and Yukon Electrical.

Hon. Mr. Hibberd: Mr. Speaker, following the direction of the House, I did enter into discussions with both Yukon Electrical and NCPC, and at the present time I am expecting a report from NCPC regarding the feasibility of building a distribution line down the Highway, and when that arrives, we will be able to assess it, and it is due by the end of this month.

Question re: Constitutional review process

Ms Millard: Mr. Speaker, supplementary to the Minister of Education's question to Mr. Commissioner, since I am not privileged to be on the Executive Committee, and therefore I am not privileged to ask him this question in those circumstances, as he said in his reply, and since he is representative of the Minister in the Yukon, and has every obligation to answer to this Legislature, especially on Constitutional matters, I would rephrase the question to him.

Has he heard anything from the Minister or from the office of the Minister concerning the constitutional review process in the Yukon?

Mr. Commissioner: Mr. Speaker, No.

Question re: Representative of Minister on Constitutional Review

Mrs. Watson: Mr. Speaker, a supplementary. Is the Commissioner aware that Mr. Loyd Barber, is present in the Yukon Territory, meeting with the CYI for their consideration to have him as a special representative of the Minister on the constitutional development review?

Mr. Commissioner: Mr. Speaker, No.

Mr. Speaker: Are there any further questions?

Question re: Liquor Ordinance

Mr. Fleming: Yes, Mr. Speaker, a question for Mr. Commissioner this morning, on the Section 103 of the *Liquor Ordinance*. The LID, as I understand it, has requested the Commissioner to enact 103 of the *Liquor Ordinance* in the Teslin area, and I am wondering at what stage that is at today.

Mr. Commissioner: Mr. Speaker, the request was received by the Commissioner, and it was passed to the Yukon Liquor Corporation for processing in accordance with the Ordinance. I would expect that the declaration will be made official, I would hope, very shortly.

Mr. Fleming: A supplementary, Mr. Speaker, to the Commissioner, on, of course, the same subject. Does the Commissioner foresee any problems in being able to enact in the Teslin area due to the geographical design there with the Federal Government owning part of the lakeshore and the Territorial Government owning some, the Indian Village, and so forth

and so on. Does he see any problems in enacting 103 as it is written today, and if he does enact it, does he think it can be enforced?

Mr. Commissioner: Mr. Speaker, I have had no words of caution from the Liquor Corporation, the Yukon Liquor Corporation with regard to the situation in Teslin, but I will certainly ask the appropriate officials to give me further details on this concern of the Honourable Member from Teslin.

Question re: Tagish Bridge Construction

Mr. Fleming: Mr. Speaker not a supplementary, another question though for the Commissioner if I may.

There has been some articles in the paper and so forth, and we have heard that the Tagish Bridge is no longer going to be starting construction this year and I wonder if the Commissioner could clarify for me, as to really why they say there was no funding. As to why it is not being done this year and if there is anything in the wind it is going to be started next year.

Mr. Commissioner: Mr. Speaker, I think since that falls within the jurisdiction of the Minister of Highways and Public Works, he would be the more appropriate person to answer that question. Certainly, if he wishes, I would defer the question to him.

Hon. Mr. McKinnon: Mr. Speaker, exactly what is stated in the press reports is the truth. Treasury Board has not given permission for three projects which appear in our estimates which were the school expansion at Haines Junction, school expansion at Watson Lake and the Tagish Bridge. Every project over a million dollars, even though it is already been previously approved in the budget of DIANA, once again has to go for another approval through Treasury Board.

We thought when we got through the Engineering Services Agreement, and such projects as the Tagish Bridge not being part of the engineering service agreement but part of the normal contribution of capital toward DIANA that we were over that problem, that once they were accepted in our budget, had been accepted by DIANA that that was the final hurdle.

We have been, on a weekly basis, telexing to DIANA officials to find out whether Treasury Board approval for those projects over a million dollars, has been forthcoming. Up to this point in time it has not. There is no use proceeding with the Tagish Bridge this year. We would not get anything accomplished in this building season at the present time, we started going to tender.

The Minister of Education, because of the necessity of at least getting the tender documents prepared and the contracts out, has submitted tenders for the schools in Watson Lake and Haines Junction and still with not the official approval of that money from Treasury Board. It is just a simple case of everybody has approved it but Treasury Board and without any money you cannot do the projects.

Mrs. Watson: Yes Mr. Speaker, another supplementary question for the Commissioner: would the Commissioner undertake to find out whether the Minister is considering appointing Lloyd Barber as a special representative for constitutional development in the Yukon, or is it going to be necessary for us to contact Jeffrey Carruthers.

Mr. Commissioner: Mr. Speaker, I am afraid I missed the last comment which got the laughs in the House. I am sorry I did not hear the last part of that sentence.

Mrs. Watson: Mr. Speaker, we have an alternative. We can ask you to find out whether the Minister is considering appointing Lloyd Barber as a special representative for constitutional development in Yukon or we can undertake to have Jeffrey Carruthers get the information for us.

Mr. Commissioner: Mr. Speaker, I will certainly contact the Minister on the Member's request and see what the situation is with regard to that question.

Question re: Aviation Fuel Costs

Mr. Lengerke: Mr. Speaker, a question for the Minister of

Consumer Affairs: I wonder, it is a question that deals with a very important industry in Yukon, a major industry as a matter of fact. I am wondering, is the Minister aware that aviation gas costs about 20 cents per gallon more in Yellowknife than it does in Whitehorse and—

Hon. Mr. McKinnon: Less.

Mr. Lengerke: Yes, less, in Yellowknife than it does in Whitehorse and that it is comparatively the same cost between Inuvik and Whitehorse.

I would really like to know why and if the Minister is aware of this and if he could look into it and advise accordingly and maybe we should be doing something about it, because it looks like, to me, that we may need some competition in that field.

Hon. Mr. Hibberd: Mr. Speaker, I became aware of this myself last week and I will endeavor to find out the answer for the Member.

Question re: Dawson City Sewer and Water System

Ms Millard: Mr. Speaker, a written question to the Minister of Local Government: 1) will the Department of Local Government thoroughly investigate the surface drainage problem in the new sewer and water system in Dawson City, with a view to determining if the present plans are adequate for the life of the new system?

2) Will the Department of Local Government help fund a new surface drainage system in Dawson City if it is found to be needed after investigation?

Mr. Lengerke: Mr. Speaker, supplementary to my question, I wonder if the Minister would also table, when he is looking into the matter of the fuel cost, if he would also table in this House a copy of the agreement that YTG has with respect to the operation of the remote airports, or the Arctic Airports Program, for the supply of fuel to those particular facilities?

Hon. Mr. Hibberd: I will endeavor to follow up on it, Mr. Speaker. I am not aware of the agreement.

Question re:

Mrs. Watson: Yes, Mr. Speaker, I have a question for the Minister of Local Government and Assessments. Last night, in the City Council meeting, I understand they are considering a resolution to ask the Territorial Government to amend the *Taxation Ordinance* to give the City the authority to adjust assessments for some individuals within the City, in order to relieve the excess taxation weight that some of these people are being asked to carry this year.

If he gets this request from the City of Whitehorse, will the Minister be bringing the necessary amendments to the *Taxation Ordinance* before this House.

Hon. Mr. McKinnon: I have no idea, Mr. Speaker. I know of no resolution at the present time and I understand that there has been no resolution passed, that there is a resolution talked about being put to a special meeting of City Council on Thursday, at noon hour.

So, there is nothing that I can do, Mr. Speaker, until I receive such a resolution from the City of Whitehorse, even hypothecating what the resolution is and whether it is going to be passed or not.

Mr. Speaker: Supplementary from the Honourable Member from Kluane.

Mrs. Watson: Yes, Mr. Speaker, my question basically was: if such a resolution is forthcoming from the City, will the Minister bring the necessary amendments forward?

Mr. McKinnon: That completely depends upon the resolution, Mr. Speaker.

Mr. Speaker: Are there any further questions?

Question re: Tagish Hall/Land Availability

Mr. Fleming: Yes, Mr. Speaker, a question for the Minister of Local Government this morning, regarding the Tagish area again. I think the Minister has received a copy or a letter from

the Tagish Association and they are requesting, of course, a subject which he and I both have problems with, is land again, to put a hall and a meeting place on.

They have drawn up a fairly well thought out plan, I think, for the next four or five years, in fact. I would like to be asking this question to a minister of the Federal Government, instead of our own Minister, however, he is the only one that I can get to.

Have you heard anything on that situation since that letter was received, I think by you and by myself, as to whether the Federal Government will allow them to have that land or whether you can manage to let them have the land?

Mr. Speaker: Perhaps the question should be properly be directed through the Chair.

Hon. Mr. McKinnon: Mr. Speaker, there is no way that I can let them have the land because it ain't my land, it is the Feds' land.

We have received the request from the Tagish Community Association. We replied to them that we would be supporting their application before the Territorial-Federal Lands Advisory Committee. I think they met and, as far as I know, they have approved the use of the parcel of land for the Tagish Community Association and I will just have to have my officers dig out the minutes of that Federal-Territorial Lands Advisory meeting.

But, if I recollect correctly, that that application has been approved with the support of the Territorial Government.

Question re: School Additions/Final Approval

Mrs. Watson: Yes, Mr. Speaker, a question for the Minister of Education: does the Minister know whether the schools, the construction projects for the addition of the schools at Haines Junction and Watson Lake, have the projects received final approval from Treasury Board?

Hon. Mr. Lang: Mr. Speaker, there are deputy heads in this Government that are constantly contacting Ottawa to try and find out if approval for the monies is forthcoming in respect to those projects.

It is expected that the money will be forthcoming, but formal approval to my knowledge as of today has not come forward.

I will check again today to see whether or not I can provide the Honourable Member with a definite yes or no as far as whether or not the money has been approved as of today.

Question re: Game Management Split

Mr. Berger: Yes, Mr. Speaker, a question of the Minister responsible for Game Management: in the new constitutional proposal made by the Government of Canada, they are proposing to cut game management and split it between the natives and the, and I presume the white population of the Territory.

My question is, was there any consultation going on between this Government and the Federal Government or the mover of the Constitutional package, or is there any consultation going on at the present time on how to implement this type of split in game management.

Hon. Mr. Hibberd: Mr. Speaker, our mandate under the Yukon Act still remains that we are responsible for game management in this Territory and until some other agreement would be negotiated, we will continue to manage game in the Territory.

Mr. Speaker: Are there any further questions? We will then proceed with the Order Paper 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, Mrs. Watson.

Mr. Speaker: Is the Honourable Member prepared to proceed with item 1.

Mrs. Watson: Yes, Mr. Speaker.

Mr. Speaker: It has been moved by the Honourable Member from Kluane, seconded by the Honourable Member from Ogilvie, that the correspondence between JJ Straton and W. Musgrove, 78/1/46, be referred to Committee of the Whole for consideration.

Mrs. Watson: Mr. Speaker, I would call Question.
Motion agreed to

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

Madam Clerk: Second reading of Bill 18, *Pioneer Grant Ordinance*, Mrs. Whyard.

Bill Number 18: Second Reading

Hon. Mrs. Whyard: Mr. Speaker, I move that Bill Number 18, *Pioneer Grant Ordinance* be now read a second time.

Mr. Speaker: It has been moved by the Honourable Minister of Health and Human Resources, that Bill number 18 be now read a second time.

Hon. Mrs. Whyard: Mr. Speaker, the purpose of this Ordinance, as all Members know, is to provide a grant to senior citizens of the Yukon, who occupy a household not already subsidized by any other ongoing housing assistance program. The intention of this grant is to help defray the high costs of living for this age group, the majority of whom are on fixed incomes.

As we noted in the White Paper on the Pioneer Grant, tabled and discussed in our first session, this program is designed to be a means of encouraging those who are able to remain independent in their own homes or rented accommodation, where it is desirable for them to be, as long as they are physically able to do so.

All honourable Members gave their support in principle to this program, which will offset rising costs of heat and light in senior citizens' households. We are bringing this Ordinance before you at this time in order to have procedures in place this year so that applications for the grants may be submitted and processed in October and December.

We are convinced that the program will repay Yukon taxpayers many times over in untimely capital savings, because those individuals now able to maintain their own lifestyle will not require heavily subsidized public housing or high cost subsidized care in a facility for senior citizens.

In summary, Mr. Speaker, the intent of this *Pioneer Grant Ordinance* is to provide some help to senior citizens in Yukon, who are trying to pay their own way, and who are not already receiving housing subsidies or social assistance, and to help them remain in their own homes as long as possible.

Guidelines in the White Paper which was before you earlier have now been written into this Ordinance, and Mr. Speaker, we would appreciate comments in Committee of the Whole, if Honourable Members can assist in any way to improve this Legislation.

We are also bringing before you an application form which has been prepared under regulations. Thank you, Mr. Speaker.

Mr. Speaker: Is there any further debate?

Motion agreed to

Mr. Speaker: Shall the bill be referred to Committee of the Whole?

Some Members: Agreed.

Mr. Speaker: So ordered.

Madame Clerk: Second Reading, Bill Nineteen, *An Ordinance to Amend the Elections Ordinance*, Mr. Lang.

Bill Number 19: Second Reading

Hon. Mr. Lang: Mr. Speaker, I move that Bill Number 19, *An Ordinance to Amend the Elections Ordinance*, be now read

a second time.

Mr. Speaker: It has been moved by the Honourable Minister of Education that Bill Number 19 be now read a second time.

Hon. Mr. Lang: Mr. Speaker, the purpose of Bill Number 19 is to amend subsection 15.(2) of the old *Elections Ordinance*, making that subsection conform with the new sixteen electoral districts which were adopted by this House last year.

The amendment, therefore, is merely one of a housekeeping nature. Presently, subsection 15.(2) outlines twelve constituencies or electoral districts and, therefore, it is necessary to amend the list of such electoral districts.

Mr. Speaker: Any further discussion?

Motion agreed to

Mr. Speaker: Shall the Bill be referred to Committee of the Whole?

Some Members: Agreed.

Mr. Speaker: So ordered.

We will now proceed to Private Members' Public Bills.

PRIVATE MEMBERS' PUBLIC BILLS

Madame Clerk: Second reading, Bill 103, *Executive Authority Ordinance*, Mrs. Watson.

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

Mrs. Watson: On next sitting day, Mr. Speaker.

Mr. Speaker: So ordered.

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

Mr. Fleming: I second that.

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 that the House resolve into Committee of the Whole.

Motion agreed to

Mr. Speaker leaves Chair

COMMITTEE OF THE WHOLE

Mr. Chairman: Committee will please come to order.

This morning, we will deal with the two Government Bills: Bill Number 18, *Pioneer Grant Ordinance*, and Bill Number 19, *An Ordinance to Amend the Elections Ordinance* and this afternoon, we will deal with Bill Number 102.

I will now declare a brief recess.

Recess

Mr. Chairman: Would Committee please come to order.
The *Pioneer Grant Ordinance*, Bill Number 18.

Hon. Mrs. Whyard: Mr. Chairman, believe it or not, we have been through about six different drafts of what should have been a fairly simple ordinance, because we all knew what we wanted in it and Honourable Members had already approved the main points that we wanted in it. The more we rewrite this thing, the more difficult it gets to keep it simple.

What we have before us is the final product arrived at only a week ago, Mr. Chairman, and I would like to make that statement because there was no time to mail it out to individual Members before they started in to Whitehorse.

I am sorry, but each draft we got needed more work and this is the net product to date. I would simply say that I would welcome comments as we read it, Mr. Chairman, because, if any of the Honourable Members have suggestions and some better ideas, we would be very happy to use them.

Our main purpose is to try to make it simple for the people

that we want to help and at the same time, not make it so all-embracing that we are going to have people who do not need the help trying to get this grant.

Thank you, Mr. Chairman.

On Clause 1

Mr. Chairman: Is there any general debate?

Ms Millard: Mr. Chairman, I am not sure if this should come in the general debate or just a little further down where the actual amount of the grant is discussed. Would you rather I wait until then?

Mr. Chairman: Yes, if it is on a particular clause.

Ms Millard: Right.

Mrs. Watson: Yes, Mr. Chairman, I notice an application for a Pioneer Grant on my desk. Now, yesterday, I went and got an application for a Homeowner Grant. I am a Homeowner, but I really do not think I qualify for the Pioneer Grant at this time.

Hon. Mrs. Whyard: Mr. Chairman, I asked to have this distributed. It is a draft of a form which will be used when this Ordinance has been approved, for people to make application.

If there is time, Mr. Chairman, I would welcome scrutiny of this form, as well.

Mr. Chairman: Any discussion of Clause 1?

Clause 1 agreed to

On Clause 2

Mrs. Watson: Mr. Chairman, why the different wording in the interpretation of director. This is the first time where we are alluding to the schedule of position classes under the Public Service Commission ordinance. Usually it is the director defined under the different ordinance.

Hon. Mrs. Whyard: Mr. Chairman, in the first place, the departure from normal practice is not, as far as I am concerned, the wording of this definition but the fact that the grant would be administered through the Human Resources Branch. Normally these grants are administered through Treasury, the financial area of this government. In this case, the financial people asked that it be administered through our branch because they thought we would be in a better position to do it. So we have accepted the responsibility of handling the application this year and for as long as is practical. We have to make sure that the person defined here complies with the new government reorganization and the new name. I think that is the only answer I can give you, Mr. Chairman. It used to be the Director of Welfare, it is now the Director of Human Resources.

Mrs. Watson: Mr. Chairman, has the schedule to the Public Service Commission has been changed to make it the Director of Human Resources.

Hon. Mrs. Whyard: We have taken that step.

Mrs. Watson: Then does that mean that the Director of Human Resources has been grandfathered in under the Public Service Commission ordinance, as having tenure as the department heads, who were within the government at the time that the Public Service Commission ordinance was passed by this House, at that time with the department heads. These department heads were given tenure. Any department heads after that, who were hired after that period of time, their position was clearly defined within the Public Service Commission ordinance. Now by changing that schedule, does that give this specific individual the tenure that was given to the rest.

Hon. Mrs. Whyard: Mr. Chairman, no, because this specific individual was hired after the new ordinance.

Mrs. Watson: Mr. Chairman, and this is one thing that has to be checked out, and often, and this came up when we were doing the budget. The schedule listed at that time when we passed the Public Service Commission ordinance, listed specifically the department heads who received tenure, and by amending that schedule and putting in the Director of Human Resources, you are in fact, giving these people tenure, just as

was done with the Director of Renewable Resources, and just as was done with the Director of Game. And these people were hired after the Public Service Ordinance came in.

Hon. Mrs. Whyard: Mr. Chairman, the Honourable Member is going in to an area which we did not touch on, and the only attempt here on the advice of our legal draftsman was to make sure that directors here was defined properly, and we accepted his advice. I will certainly take the Honourable Member's remarks under advisement and we will have a look at it. But, so far as I know, Mr. Chairman, there is nothing involved there.

Mr. Chairman: Any further discussion?

Clause 2 agreed to

On Clause 3

Ms Millard: Mr. Chairman, when the White Paper was brought into Committee on this, I discussed the possibility or put forward the possibility of the Department thinking in terms of having a different sized grant for different communities.

I know that can be a complex thing and we want it to be as simplified as possible, but to that end, I did a small amount of research in Dawson City on only six different situations, three of them being couples and three single old age pensioners.

In that, I discovered that fuel in Dawson is costing the average homeowner \$100 a month and electricity, or the NCPC charges, at least \$50 a month, which compares to the research done in the White Paper in Whitehorse to fuel of approximately \$43 a month and NCPC costs of approximately \$26 a month, about half of what Dawson pays.

Now, since Whitehorse actually even has a municipal grant to help old age pensioners for, I believe it is just water, but at least they have some assistance towards that end, I am wondering if the Department has considered the various communities and the possibility of changing that to reflect realistically the cost to old age pensioners in a place like Dawson City?

Hon. Mrs. Whyard: Mr. Chairman, we had, as background material, of course our most recent survey, "Beyond 60", which our Department had conducted in the last twelve months.

It breaks down into very fine detail from every area of Yukon and every settlement the pertinent data pertaining to people over 60 and it seemed to us, from an administrative point of view, as we grappled with this Ordinance, almost impossible unless you assessed every individual applicant on the basis of their income and their needs.

One of the prime objectives of this Bill, Mr. Chairman, has been to get it away from the welfare requirement of need so that someone in the middle income bracket, who might well be refused social assistance, under Canada Assistance Plan guidelines, could still qualify.

Now, if you have to adjust the amount of the grant for every community and every level of cost for every type of utility, you are pretty well getting down into the area of an individual assessment of what they have as income and what they pay out for their costs.

Mr. Chairman, I would appreciate the Honourable Member's opinion on this because she has a great deal of field experience in this area, but we could see no way to have a simple grant system, based on those myriad factors, if you have to adjust the cost for every single case.

I really do not know on what you would base it, Mr. Chairman.

Hon. Mrs. Whyard: On the other hand you have people whose costs are considerably less, because they are living in a home outside a community, burning wood which they have for free. How you would balance that situation against someone with a large and expensive home, which they are trying to maintain, I do not know. We struck this figure because it seemed to be a pretty common denominator based on the data

from Yukon Housing Corporation studies of fuel costs and from our own surveys.

We can not possibly pretend to pick up all utility costs. We have, as the Honourable Members know, also increased the home owners' grant this year slightly for senior citizens, and this will be of benefit to people in Dawson as well as here. It is a very complex situation. This is a simplistic approach, I admit, Mr. Chairman.

Mr. Fleming: Yes, Mr. Chairman, I have to question the government on this, and I have to also say that I do not think we can, in this sense, and I sympathize with the Member too and her problem, but maybe to answer that problem in some ways, these things, as the Minister says, we are now giving a fuel rebate which is exactly the same amount as paid in Dawson City as it is here in Whitehorse as it is in Teslin, exactly the same. The freight is taken off and that is all there is to it, if they wish to apply for this.

Now, if there is a problem in the areas, and I would say that there is possibly, as you have said, the Municipality of Whitehorse is doing something in that respect, and I think in that respect this is the same thing. That is where it should be done. That is where you should go with that problem, as to your own area, your municipality, or your area that is there and see if there is something to be done to alleviate the problem in certain areas, but I can not see doing it as a whole across the Territory, and trying to sort all that out. You would never see that, any possible way.

Mrs. Watson: Mr. Chairman, there are two things that I am concerned about, and we are saying \$300, and I can see where you, from your Housing Corporation, an assessment of the cost of the utilities, but you are not specifying utilities, it could be used for taxes, etc. Sort of a household grant.

There is nothing in here though, and I could be wrong, I may have overlooked it, to put a cost of living index or a pricing index with it, and this is really what I would like to see. Your \$300 today, particularly the idea behind this Pioneer Grant, really, I think, was brought up, or was initiated when we were talking about pipelines, and the fact that pipeline could increase the cost of living more than it would normally. We are also looking at the situation of fuel costs across the country going up on a constant basis. We know that the fuel costs are going to go up. Canada has said that they are going to bring the fuel costs up to world prices, so we know there are going to be increases. So what we are doing with the \$300 is to deal with today's fuel prices and electrical costs. That is great. Two years from now we will have probably a hike in fuel costs, two of them, and we know that there is likely to be hikes in the electrical costs. An amendment will have to be made in order to keep that \$300 level of \$78 at \$80, and we put a cost of living index into the *Community Assistance Ordinance*, we put it into the *Workmen's Compensation Ordinance*, we have it in the Social Assistance, whether it is in the Ordinance or whether it is in the Regulations, where the assistance that is given, clothing allowance, food allowance, foster parents allowance, group home allowances, are reviewed, I believe, every six months.

I would like to see that written in here, too. The dollar amounts are not really going to be that great in total, but the dollar, it is going to keep them gradually increasing as that cost of living increases.

We know that the increases are going to be there, so I would really like to see that put in there so that it can roll. I do not think it would make a difference of more than between \$5,000 and \$10,000 a year. All we have to do is get rid of one man year and we have paid for it.

The other thing that does concern me and I brought this up before, the fact that it is being paid in one lump sum once a year. This also bothers me with the Homeowner Grant. I know for a fact that people have to borrow money to pay their taxes so that they can go and apply for the Homeowner Grant, because they

have to have that receipt.

They have a hard time, a lot of people who are on fixed income, saving enough over one year, to pay the taxes even so that they can take advantage of that Homeowner Grant.

Here we are, we are giving this grant more specifically for utilities, I think that is the idea behind it, and the light bill comes every month, the fuel bill comes every month.

Now, it is pretty tough to keep paying that \$30 and that is approximately \$30 or \$27 every month, when you know you are going to get it back, but when your income is only \$500, that \$30 makes a big difference.

I know that it would add to the administrative costs. I know it would make it a little more difficult to have residency requirements to prove residency requirement, if we went on a monthly basis. So, I would suggest at least a quarterly basis, because your residency qualifications, you are requiring 180 days, you are requiring 90 days, that is three months out of six.

So, if every three months they got \$100, that would keep them going and some of the people that you would be assisting that just may not be able to survive until that \$300 comes in. I do not know how long the fuel bill can go before they move in on you. I know your light bill cannot go too long before they move in on you. I would really like to see those two things considered.

Hon. Mrs. Whyard: Mr. Chairman, we looked at the situation in the Department. Some of what the Honourable Member says does apply, but in other cases, not so. We do not raise the rate to group homes per child every quarter. They are in an annual contract situation.

Mrs. Watson: But they are raised?

Hon. Mrs. Whyard: They are reviewed annually, but in this case, if you are talking about costs of fuel and costs of utilities, what about the recent statement that there will be dispensation for people who are provided with power from diesel fuel plants? What about the possibilities of other communities following suit and rebating sewer and water costs to senior citizens?

I would hope that some of these factors are going to affect and assist in the coming months. Do you then say, "Not you, but you"? I do not know how you do this, Mr. Chairman.

If you tie it to a C.O.L.A., what are the costs of living you are going to assess to increase this grant? If they are based on fuel and light, you get into the same situation we had in the beginning, trying to determine what the grant should be, because people are using four and five different kinds of fuel and light.

If you are going to tie it to the National Cost of Living percentage, I could see this thing moving up indefinitely. I do not know how you handle this, Mr. Chairman.

I had hoped that we could start with this amount and because there are going to be variations and other factors effecting these same people, some of which I just mentioned, there will be people sitting here in this House in the next year or two whose decisions can be considered and who can come back and change the amount, if necessary.

Over on the other side, in the Northwest Territories, they have, at their last Session, considered an ordinance which is going to give senior citizens \$50 a month, or whatever they decided, to do the same kind of thing that we are trying to do here.

But that whole thing was sparked because one municipality forgave taxes to senior citizens. It started at the municipal level and so it is a double-pronged effort there as well.

It is not just a matter of saying \$300 each year and tie it to the cost of the inflationary factor. It is not that simple, Mr. Chairman. If other Honourable Members wish to go that way, certainly I am not going to oppose it, but I do not see where it ends.

Mr. Fleming: Yes, Mr. Chairman, on the same subject, however, I think I would have to go back to the back of the Bill, where the Commissioner may make the regulations and would I not be right in assuming that that 9.(c), "prescribing a schedule listing programs which provide for reduced cost of shelter or occupancy", in this area through pressure from the associations, probably, or from the old timers or from whatever groups, would that not cover some of these areas that people are concerned about, if they can get the Commissioner to make regulations concerning the aged, for instance, in the price of fuel or in the price of electricity?

Hon. Mrs. Whyard: Mr. Chairman, when we get to that section, I think the Honourable Member will see what the intent was. We had not in mind, when we phrased it, what you are speaking of now.

Mr. Berger: Yes, Mr. Chariman, I would just like to throw out a suggestion about what the Honourable Member from Kluane was saying and I wonder if we could not insert in 3.(1), "The Commissioner shall pay a pioneer grant subject to a review every two years"?

I was wondering if this would not be acceptable to the Member?

Mrs. Watson: Mr. Chairman, there is a C.O.L.A. clause that when they review allowances, the contract agreements in group homes, they have to use some yardstick. When they review the payments that are made to foster parents, there is some yardstick which is being used by the social services branch, the Human Resources Branch.

In the *Workmens' Compensation Ordinance*, there is a yardstick being used to bring that \$300—we are talking about a \$300 grant that is dollars in year 1978. In year 1980, it is not going to be \$300.

You know, that to keep opening a piece of legislation to change it every year is not going to be done.

Hon. Mr. McKinnon: Look at the Homeowner Grant.

Mrs. Watson: The best thing is to put this in, because I know that the fuel costs are going to go up. Maybe, because of the assistance that they are getting from municipalities, or so on, or the assistance under the NCPC, where the people who use power, diesel fuel power, that directly, but all the rest of the things are going to be effected by that cost, that increase in cost of fuel.

Your grocery costs are going to go up, because the transportation costs go up. Everything goes up significantly with it.

You are looking at, I would say, not more than \$10 a year adjustment, and that would make a big difference. That might pay the light bill in June. That makes a big difference because what we are talking about here, \$300 a year. It is \$25 a month. What can you do with \$25 today?

If things continue, what are you going to be able to do with \$25 three years from now? If you are going for \$300, for goodness' sakes, let us go whole hog, and go for a C.O.L.A. clause. We are doing it with everything else.

We are doing it, we review social assistance, we use a yardstick for review. I would certainly like to see that put in, and I would really like to see consideration given to giving that grant on a quarterly basis, more than once a year. Even six months would be better.

When you are getting \$500 a month or whatever these people are getting, boy, it is tough to save \$30, knowing that you are going to get it back sometime.

Hon. Mr. McKinnon: Mr. Chairman, I think that the program is a good start on the \$300 a year system.

I do not find different grants, such as the Homeowners' Grant, such as the Students' Bursary and Loans, they are specifically stated in the legislation what the amount of the grant is going to be and how it is going to be distributed.

I think, Mr. Chairman, that the proper way of changing these

types of grants to specific individuals and groups is through the political arm of this government, not through a C.O.L.A. clause. Let the groups make their representations, that the members of the Legislative Assembly, being told that these are the facts, that the costs of utilities have gone up this much, make a conscious political decision to raise the amount of these grants structures.

I just want to say, Mr. Chairman, that, as early as in 1975, there were no programs that I was aware of at all, in this Government, in the municipalities or amongst various organizations and companies, taking into consideration the fixed income problems of the senior citizens.

In the City of Whitehorse today, if a person, a senior citizen wants to apply for all the various benefits of company, municipal, territorial and now the Pioneer Grant type of benefit, that they are well into the \$1,000 a year saving from normal bills. I think that that is a pretty good record over about a three year period.

You know, of course, that the *Homeowner Grant Ordinance* has been changed so that pensioners get 75 per cent of their taxes refunded with no minimum. Of course, anybody with any kind of a substantial home in Whitehorse is eligible for the whole amount of \$300. With the *Pioneer Grant Ordinance*, that will be another \$300.

A company which I was associated with prior to coming in full-time in a portfolio responsibility, dropped the rental of their cable outlet from \$180 to \$60 for senior citizens. There are banking discounts, store discounts, mini-bus discounts, in all of these areas which now senior citizens can take advantage of, which puts, in this municipality, the saving over an ordinary resident well over \$1,000 in the course of any year.

I think that saying that none of this was available from, before 1975, and this Government was the spearhead in getting some of these programs started, I think is a credit to all Members of this Assembly.

I think, with that kind of result that we are starting in on a sensible basis by the \$300 a year, and certainly this type of legislation is so politically sensitive that, depending upon the representations that are made on further members of this House, whoever they may be, that this legislation will be changed to reflect the reality of costs in the Territory, by the political arm of this Government, where I say it rightfully should be, rather than getting into this C.O.L.A. clause business.

I like the conscious decision of people in open Assembly standing up and making those decisions, Mr. Chairman.

Hon. Mrs. Whyard: Mr. Chairman, I think that we are all very much aware of the fact that there is a pretty strong organization of senior citizens in the Yukon Territory now. They have a branch in Dawson, as well as in Whitehorse and they are reaching out, through their newsletter, to seniors throughout the Territory.

I think we are going to be hearing from them regularly and I would count on this, as advisors to this Government of when these things need changing.

I want to give credit to them for the fact that we have this program before us, because they are the ones who provided us with facts and figures and the basic need for such help. I have not heard any complaints from them about the \$300.

I think that in the first year of trail of this program we will be watching it very closely and making sure it is not abused and that it goes to the people who need it and that those organizations of senior citizens will certainly keep us informed when it needs to be adjusted upward and whether or not there are changes to be made in how we administer it.

Mrs. Watson: Mr. Chairman, we keep hearing about these benefits that they are getting from municipalities, more specifically in Whitehorse, but these benefits are not available across the Territory.

Hon. Mr. McKinnon: The major ones are.

Mrs. Watson: They are not. I have many people in my area, and even if they have--not many, but I can name them, because there are not that many older people in Yukon. If they are paying \$300 a year taxes, only \$50 of that is returned as part of their Homeowner Grant, or \$75.

So, they still have the taxes and in these communities we are putting in sewer and water and frontages and this type of thing, so their properties, the taxes are going up.

They live a very simple life. Their expenses are not great, but I just know that some of them are not going to be able to hang on to their homes.

I thought the \$300 is great. I think it is just great, because there are areas where there are no other fringes offered. Particularly when you are looking at the single senior citizen trying to keep that home in that community that he or she has had for years, and that is where they want to die.

I think \$300 is great, but let us make it \$300 in 1979, let us make it \$380 in 1980.

It is just a thought I have and I am quite surprised too, because the pension is indexed. There is a C.O.L.A. clause attached to old age pensioners, and I know that the members in the Government of Canada, lead by Stanley Knowles, have worked very, very hard to make sure that there was a C.O.L.A. clause attached to it, and I would hope that the NDP members in here would work very, very hard to see that there is an index or C.O.L.A. clause put into this section, too.

Mr. Chairman: Any further discussion?

Shall Clause 3 carry?

Mrs. Watson: Disagree.

Some Members: Agree.

Mrs. Watson: Question.

Mr. Chairman: I declare that Clause 3 is carried.

Clause 3 agreed to

On Clause 4

Mr. Fleming: Mr. Chairman, this was the part that bothered me before, in the papers then before us, and it is still giving me a problem, and I can not find anywhere in the Ordinance that is covered, to qualify. You have attained the age of 65 years or more on the 31st day of December, there is no problem with that, and it does not say at the end, it just says "is to be paid". It does not say exactly what you must own to be paid, it just says "paid". Then it goes on to say, you have owned or rented his or her principle residence. That is clear enough there, "and is to be paid," and then "and have occupied". Now a) must go with c), because they have to occupy it before they can get in they have to be 65 years of age. But there is nowhere in the ordinance that says that a person who does not actually own can collect the money if they are married to a person who is younger. For instance, if a man is 65 and his wife owns the property, does the marriage make this possible for him to get it. No, he does not own, or rent. He lives there, so he occupies it, and he has attained the age of 65 years, but he has not owned or rented. And it goes on and says "owned or rented and have occupied", so you are not clarifying it for a person who is 65 years old and who has a wife who is 25 years old, or whatever.

Mr. Fleming: It is not really clarified in the notes with the application. There is a portion that says something "only one pioneer grant is payable for one year", but you have not clarified that, nowhere in the Ordinance. Definitely not.

Hon. Mrs. Whyard: Mr. Chairman, the requirements are that you must be 65 in order to qualify for the grant of the home you own or of the apartment you rent. If the owner of that principle residence is less than 65, they will not qualify for this grant.

Mr. Fleming: The Chairman, the gentleman that is

married to the 25 year old, although he is 65 years old and they are living in that home, can not apply for that grant. However, if you ...

Hon. Mrs. Whyard: If it is not his own, no.

Mr. Fleming: If they are married. But yet you go over here and you can have two people that are not married at all and are living together, which is very simple and sometimes done, and one of those can apply for that grant.

Hon. Mrs. Whyard: If they are 65.

Mr. Fleming: Yes, if they are 65 years old. Now don't you think that is a little bit of discrimination against a person who is 65 and married and can apply for a grant and he is living in a home and paying the taxes with her husband, or the other way around? You don't? O.K., then I do not see the point.

Mrs. Watson: Mr. Chairman, but there is something. And Mr. Fleming was absolutely right in this 4(1). Each person gets \$300, so a married couple gets \$600.

Hon. Mrs. Whyard: No. They do not.

Mrs. Watson: Then you are not saying that then. You are not saying it.

Hon. Mrs. Whyard: Only one grant is paid per household, per year. You could have a hundred senior citizens in there, it would not matter.

Mr. Fleming: Yes, I agree with 6(2), no problem whatsoever. But I am saying that you are not, well, you may give it to them, I do not know what this Government may do, they do many strange things. But you are not saying here that a person who is 65 years old and is married to a younger person and living in that home, unless they own it in actual fact, on paper, and yet they are living there, in that home, and I would think they would be qualified for this grant definitely, and yet they can not apply for this grant, under the wording that is here.

Well, I would add in here, where you are 65 years or more the first day of December that year, or married and living in that home. I do not know how to word it here in a minute, but I can see here where somebody is not going to get the grant.

Hon. Mrs. Whyard: That is right. The intent is to have a senior citizen who owns his own home get the grant or if he is renting an apartment get the grant. It does not matter what the age of his spouse is. He is the one who is applying for the grant, if he is the homeowner.

Now, if you are a homeowner and you are under 65, you do not get the grant.

Mr. Chairman: Mr. Fleming, perhaps if this 66 year old genius could rent the house from his wife...pay a dollar a month...

Mr. Fleming: That is exactly what will happen, in many cases.

Mr. Chairman: Well, that is fair.

Mr. Fleming: It will have to be done if they wish to apply for the grant they will have to change over the ownership of the home or something, and I see no real commonsense in it.

Mr. Chairman: The idea, Mr. Fleming, is that they become joint tenants with survivorship, and they would be no problem whatsoever.

Mr. Fleming: Alright, I agree. I am just saying it is not spelled out here, and yet you are giving... Mr. Chairman, sorry, Mr. Chairman, it is spelled out here the other way, you are giving the opportunity for the two people to own or get into a home and it does not really matter which one owns it, the same thing that happened there is they will say, sure, it is my home, and they pay the taxes, o.k. and they can do this, not being married. And yet for a married couple, which I would think would substantiate his or her ability to get that grant, you are not really saying that you would have to go through some legal channels, or change over some property or something to be able to get the grant. And there is only one grant for the

homeowner anyway, so why not spell it out? If you are married, you should be able to get it.

Mrs. Watson: This is his home though, and probably it is wrong and he is right. However, if you look at 3(1), it is "The Commissioner shall pay a Pioneer Grant in the amount of \$300 each year to every applicant who qualifies for that grant pursuant to this Ordinance. That is not what you are doing, you are paying a Pioneer Grant of \$300 per year to a residence that is occupied by people who are over 65 years of age, and you are not saying that. You are using the residence as a criteria. It is a home, whether it is rented or owned, and that one home gets \$300 a year, but the people in it only get it once, and sometimes there is one or two, and you are saying "every applicant who qualifies" and if I qualify, if I am 65, my husband qualifies, because he is 65.

Mrs. Watson:You are contradicting yourself.

Hon. Mrs. Whyard: Two individuals owners of the same principle residence over 65 applying for a grant. There has to be one owner.

Hon. Mr. Lang: Section 6.(2).

Hon. Mrs. Whyard: Also, Mr. Chairman, if we get farther on into the Ordinance, you will see that there is a section applying to more than one person being resident, who may both well be over 65, but only one grant is paid per household.

Now, in this Section 3.(1), as the Honourable Member says, we pay the amount to every applicant. We could have said to every household, but a household does not apply, an individual applies. It is a matter of semantics.

Ms Millard: Mr. Chairman, just on that, there is something I noted on the application form which might clear it up, on the note, about the middle of the first page. "If two or more qualified pioneers jointly own or jointly rent accommodation in one household, it is the responsibility of the occupants to determine who will apply for the Pioneer Grant".

So, it leaves it open for them to get the best ability out of the grant.

I would like to say, just in passing, that I think that this is a really good section for women, because finally people are saying that there are two people living in a household, not a man and wife or the man being the head of the household. They can finally sit down like two reasonable civilized adults and decide who is the leader in the house.

Mr. Fleming: I am not going to belabour the subject anymore, Mr. Chairman, because I just cannot seem to be understood, but I am going to give you an example of what can happen, and the person who actually should be qualified for a grant will not be able to get it.

You say you can jointly own it. You say we can turn it over to somebody else and all this garbage. Listen! If you, let us get married. Danny is 25 years old and I am 65 years old. You know, let us have an example, I do not care who it is, but you must clarify this section, because I own, or he owns the property, or she owns all the property and there is a mortgage against that property and you cannot turn it over to the other person. Then they will not get they grant and yet they are a married couple. She and he are both living in that residence and paying for it.

So, in other words what you are saying, and if this is right, okay, that is the way you can have it, if a couple is married it means absolutely nothing. Yet, you can turn around and be not married and live together and apply for the grant. It is just that simple.

Hon. Mrs. Whyard: Mr. Chairman, really, if you are going to go look for somebody who will qualify you to get the Pioneer Grant, do not marry a woman under 65.

Mr. Chairman, I would just like to say a word, if I may...

Mr. Chairman, I would just like to draw the attention of members to these other sections under 4, because, in (2) and

(3), we have done something which the Federal Government has been unable to do for years and that is plug that gap for a person between 60 and 65 who, when the spouse dies, is left without pension and without resources until they reach 65.

This has been a matter of great concern in the House of Commons for some years now and, for some unknown reason, the Federal Government has never been able to close that loop.

We have attempted to do that with this grant so that your surviving spouse, widow or widower, if they are not 65 and their husband or wife did qualify for this grant, will receive that from the time they are 60, to the time that they themselves qualify, so that they will not be left without this and without resources at the time when they need it the most.

I am pleased to see these sections in here. I think that they are clear and that I do not need to belabour the point, but it does mean that the grant would continue to the surviving spouse, even though he or she is between 60 and 65.

Mrs. Watson: Mr. Chairman, I have problems with 4.(1)(c), the time. In order to qualify, you have to occupy your principle residence in Yukon for at least, a minimum is 90 days, between, that is during the winter, between the 1st of October to the end of March.

So that means that I could live here for the 90 days in the wintertime and live somewhere else and still qualify for \$300.

Hon. Mrs. Whyard: Mr. Chairman, with respect, it is not your principle place of residence if you are living nine months of the year somewhere else. That is the first point.

The second point is that we are attempting here to divert people who go south for the winter of coming in and asking for a grant which is supposed to offset utilities. We are trying here to insure that it is the people who stay here in Yukon through the cold months and who have the high cost of utility bills, who will be receiving the benefit of this grant.

We are not putting this program through to benefit people who stay here for the summer and go south every winter. This is the means we are taking.

At the same time, Mr. Chairman, I do not think it is punitive. You are required only to spend three months, between October and March, end of March, so that gives you time if you are going out to visit a family over Christmas or for a holiday, but you must still stake your claim here in Yukon as a northern resident, through at least part of the winter in order to qualify for a grant which offsets the high costs of fuel.

Mrs. Watson: Mr. Chairman, I could not agree more. I do not think we should be paying anyone a grant, if they go south for the winter. Absolutely not.

But I do not think that you have plugged the loophole because you said, when I said that all I have to do is be here three months, between the 1st of October and the end of March, that is all, in my principle place of residence in Yukon. That means your normal place of residence in Yukon. That does not say my principle place of residence, and my principle place of residence is my home in Haines Junction.

So, all I have to do is live there for three months, in the winter, and I would qualify for the grant and I do not think I should be able to. That is the point I am trying to make.

Hon. Mrs. Whyard: Mr. Chairman, somewhere in the drafting or rewriting or the retyping, we did have a requirement of residency, which was the same as the Homeowners', which is 185 days and we further defined that and refined it to make at least 90 of those 185 days during the winter months.

Now, we may have, somewhere or other, dropped that 185 and, if so, it is an error and it must be replaced, because that is one of the residency qualifications.

Mrs. Watson: Mr. Chairman, the 185 days, and that is what surprised me because it was in the paper, in the Sessional Paper, but you can see what I mean. There is a requirement for...

Hon. Mrs. Whyard: Thank you, Mr. Chairman, and we will certainly repair that.

Mr. Chairman: We will stand this clause over and go on with the Bill.

Clause 4 stood over

Mr. Lengerke: Mr. Chairman, I would just like to follow up a little bit with what Mr. Fleming was trying to get across. I think I see the point that he is trying to make.

With that situation where Mr. Fleming was saying that you had a 65 or 70 year old man and a woman, say even at 60 or 58, and they have been married, you know, thirty years or whatever, and the man is really paying the expenses of that household and yet the house is in the name of the wife.

So, really, what you have got is the situation of the pensioner, he does not rent, he does not own, but he is paying the expenses and he is maintaining that household, but he cannot qualify.

Hon. Mrs. Whyard: Not until he is 65.

Mr. Lengerke: Now, further to that I would just like to ask this, then, okay, so we said that there are loopholes in that: will the Government then recognize a \$1 rent? An agreement where it says, all right, Mr. Fleming is renting the house from his wife for a \$1 a year. Will they recognize that kind of agreement?

Hon. Mrs. Whyard: Mr. Chairman, it is not the intention of this Ordinance to make people resort to under the table deals to apply for this grant.

We tried to make it very simple and straightforward and I do not know too many people who are not going to qualify in the case which the Honourable Member from Hootalinqua is bringing to us.

I really think that there are simple ways to apply for the grant and I wish he would not keep telling us about this case, because we are going to have to pin it down if he does.

Mr. Lengerke: Mr. Chairman, I would just think that there are quite a few people where the title of the house is in the name of the wife and she is not 65 or 60 even.

Now, I may be wrong, but I would think that there are many situations like that, because, usually, that is the only asset people have sometimes and the man usually puts it in the wife's name to protect her, so she has got something in the case that he passes away.

But, in the meantime, he is paying all the expenses as an old age pensioner and he does not qualify. I do not know if you have given any consideration to that. Maybe you do not want to help that kind of a situation. I do not know, but it has to be looked at.

Hon. Mrs. Whyard: Mr. Chairman, I would welcome some suggestions as to rewording. Have fun.

Mr. Fleming: Yes, Mr. Chairman, just to carry that a little bit farther. You have got to say, in 4.(c), "have occupied his or her principle residence for a period of 90 days or more between the 1st day of October and the 31st day of March".

Okay, you have to have it before, you have to apply that year, I will find the year somewhere, you have to apply that year.

Now, I am not going to ask you a question about the first year you apply. There is nobody now that is in that situation and married in that situation today who could, until the Ordinance is passed, unless he is wise and changes his status as far as being married is concerned and his property and everything to his wife and so forth and so on, then he could collect it, after it comes into effect. They will all see the problem and they will do as Mr. McIntyre said, they will go and, you know, scheme. It leaves the loopholes to scheme if you are going to get it.

This year, in December, it is coming into effect, so there will be quite a few of them this year, that will probably not get the benefit of it that really should be having it. That is all I am

saying, it should be simple if you are a married couple, you are living in the one home, the one who is 65 should be eligible for the program, that is all I am saying. Absolutely.

Hon. Mrs. Whyard: Mr. Chairman, could I ask the indulgence of this Committee because we have all agreed that we have inadvertently dropped the 185 day requirement, could I ask the indulgence of the Committee so that we do not have to go back to an amendment to bring it in. In (c), 4.(c), to consider it a typographical error and read the section as "have occupied his or her principal residence for a period of 185 days, 90 or more of which must be between the first of day of October", so that we get the same residency requirement as the Homeowner's Grant and then pin them down to part winter occupancy. Would that be acceptable, Mr. Chairman?

Mrs. Watson: It is certainly acceptable to me as a typographical error, but I would caution the Honourable Minister to make sure she refers to her draft at noon hour and come in with the specific and exact wording because this is so crucial.

Mr. Chairman: Well, I think we should—

Mr. Berger: I have been trying to get your attention for the last half an hour. On this particular section, I would like to propose a suggestion to stand over 4.(1), to drop (b) in 4.(1) altogether, because if you have to have a residential requirement of 185 days, you do not need (b), and if you drop (b) then it would fulfill the requirements that Mr. Fleming suggested to the husband who does not own the property. Because if you are a resident for 185 days in the Territory in the wintertime, he obviously must live in the Territory.

Mr. Chairman: Well, I have already said we are standing clause 4 over, so that any necessary changes can be made, because we want to accommodate the 185 days, and perhaps we want to accommodate this case where the man is married to the very young woman or vice versa, and the wrong one owns the property. Just as a matter of interest, I had a case of exactly the nature last night. A person asked me in connection with the Homeowner's Grant, the house is in the wife's name, the husband is a senior citizen, and he cannot apply, they can not get the senior citizen's homeowner's Grant because the property is in the wife's name. But it is a very simple thing to change that. You just have a joint tenancy with survivorship and you are home free.

Mrs. Watson: But it is quite important, the ownership of the house, because of your capital gains tax. And if you have ever sold a house before that was in the husband's name, they are going to transfer it and it is absolutely essential that they leave it in the wife's name, and vice versa. So it is not that simple.

Mr. Chairman: So we go on to 5.

On Clause 5

Mr. Chairman: Any discussion?

Clause 5 agreed to

On Clause 6

Hon. Mrs. Whyard: We are pinning down here the possibility of a residence changing owners and so forth so that there is not going to be two grants payable.

Ms Millard: Mr. Chairman, when I read this, I wondered whether it might not be a lot clearer in 6.(1) where in the final line it says, "more than one Pioneer Grant in any one year" so it ties it explicitly to the Pioneer Grant. Could that be done?

Hon. Mrs. Whyard: Yes, Mr. Chairman. More than one such grant or more than one Pioneer Grant. Could we consider that now as a typo?

Mr. Chairman: Where is the correction to be made?

Hon. Mrs. Whyard: Mr. Chairman, in 6.(1) the suggestion is that it should read, "an applicant who is qualified to receive a Pioneer Grant pursuant to this Ordinance, shall not be eligible to receive more than one Pioneer Grant in any one year."

Mr. Chairman: Yes, insert "Pioneer" between "one" and "grant".

Mrs. Watson: A good point has been brought up and I hope that the Member does not feel that we are icky-picky. We just want to make sure that everything is—

Hon. Mrs. Whyard: No, we welcome your comments.

Mrs. Watson: An applicant who is qualified so the wife owns the home, she is 65 or 68, she makes an application for their home in Riverdale, she gets the \$300. They own a cabin at Tagish, the husband, in the husband's name, he makes an application, he is 65 or over, and that is the principal residence, so each person is entitled to have a principal residence because you always say "an applicant".

Hon. Mrs. Whyard: Well, Mr. Chairman, if he wants to live out in that cabin from October until March to qualify for his \$300—. He has to be in the principal residence if he is applying for it.

"Principal residence" is the key to that one. I would not consider a summer cabin as a principal residence.

Mr. Lengerke: Mr. Chairman, what I was trying to say is that a person could have two principal residences. You could live half a year at Tagish and you could live one half a year somewhere in Whitehorse but you have got this qualified with a timeframe, a period of months that you have to live in a place.

Mr. Chairman: Mr. Lengerke, for the purpose of voting, you cannot have two principal residences.

Mr. Fleming: Mr. Chairman, I would like to give you another example of where we get into a problem because we have not clarified what I asked before.

I own a home and it is an apartment set up. I have an apartment that I can rent there and we are both 65, and you say "principal residence" and you are classing all people, and marriage does not mean a thing, so therefore, myself and my wife who are both 65, I can apply for it because I own the home and I pay for it. She can apply for it because she pays me rent for the portion she is living in which is the apartment downstairs and we both can apply for it and it is legal if you do not clarify the marriage situation.

Hon. Mrs. Whyard: Mr. Chairman, I think under the terms of your application form, and the rest of the sections in this Ordinance, we are saying only one per household.

Mr. Chairman, on the form, as we have already noted, if two or more qualified pioneers jointly own or jointly rent accommodation in one household, it is the responsibility of the occupants who will apply for the Pioneer Grant, there is only one.

Mr. Chairman: Anything further on this section?

Mr. Fleming: Yes, Mr. Chairman, the dollar rent that the Member brought up a while ago, in this case would be fine and dandy. The paper that says she has paid a dollar rent to her husband, she is 65, he owns the home, she cannot collect then.

There is no problem then.

Hon. Mrs. Whyard: If they are living in separate households, they can each apply for that household but it has to be separate household.

Mr. Chairman: Anything further on this section?

Mrs. Watson: Mr. Chairman, I still, and I would wish that when they take it back to have a look at it, and I am not trying to delay it, I still think you should still consider defining the grant is payable, the Pioneer Grant, on behalf of every household or principle residence to an occupant of that household.

Hon. Mrs. Whyard: Which section are you talking about?

Mrs. Watson: I am going back to that 3. I think that the whole problem in this whole Legislation is that the grant is being paid to applicants, but actually your grant is not. It is a grant based on a household and you are trying to distinguish whether there is one or two or four people in a household.

It does not matter if it helps clarify it.

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

Recess

Mr. Deputy Chairman: I call this Committee to order. Yesterday we left off with discussions on *An Ordinance respecting the Council of the Yukon Territory*. There were a number of amendments coming forward.

We left off at Clause 7. I believe everybody has a copy of the amendment by Mr. McIntyre.

Mr. McIntyre: Moved by myself, seconded by Mr. Hibberd, that Bill Number 102, entitled *An Ordinance Respecting the Council of the Yukon Territory* be amended as follows: In subclause 7.(3) on page 3 by deleting the word "or" at the end of paragraph (g);

b) by adding "or" at the end of paragraph (h); and

c) by adding immediately after paragraph (h) thereof, the following paragraph (i): "is or becomes an elected trustee of the Board of a Local Improvement District."

This amendment resulted from discussion that we had dealing with the eligibility of a Mayor or Aldermen to run for the Assembly. We took this up in Committee and came to the conclusion that there was nothing to prevent the Mayor of a municipality or an Alderman from running for the Legislative Assembly.

The one area we found had some doubt was the trustee of a Board of Local Improvement District. There are two types of trustee. There is one who is appointed by the Commissioner, when a Local Improvement District is first formed, and we felt that these people should not be eligible but a person who is or becomes an elected trustee of the board of a Local Improvement District should be eligible so we have added this (i) to the clause to make it perfectly clear that an elected trustee of a board of a Local Improvement District is eligible to run for this Assembly.

Mr. Deputy Chairman: Thank you, Mr. McIntyre.

Any discussion? Shall the amendment carry?

Some Members: Agreed.

Amendment agreed to

Mr. Deputy Chairman: Shall the clause carry as amended?

Some Members: Agreed.

Clause 7 agreed to

Mr. Deputy Chairman: There was previously two amendments put forward. The Chair is of the understanding that both of these amendments are going to be withdrawn, with the consent of Committee.

The first amendment put forward was by Mr. Hibberd, dealing with Clause 8. Mr. Hibberd, are you still prepared to withdraw this amendment put forward yesterday?

Hon. Mr. Hibberd: Yes, Mr. Chairman.

Mr. Deputy Chairman: Is the Committee agreed?

Some Members: Agreed.

Mr. Deputy Chairman: The second amendment put forward was by Mr. McIntyre, dealing with the same Clause 8. Mr. McIntyre, are you prepared to withdraw this amendment?

Mr. McIntyre: Yes, Mr. Chairman.

Mr. Deputy Chairman: Is Committee agreed?

Some Members: Agreed.

Mr. McIntyre: Mr. Chairman, I have a further amendment now to Clause 8. Moved by myself, seconded by Mr. Hibberd, that Bill Number 102, entitled *An Ordinance Respecting Council of the Yukon Territory*, be amended as follows: in subclause 8.(2), at page 4, by deleting paragraph (f).

There is a second sheet, but I think we can treat them as one amendment. In subclause 8.(2)(a), by adding "or" at the end of paragraph (k), and (b), by deleting paragraph (l).

Mr. Deputy Chairman: Do Members have copies of this amendment?

Mr. McIntyre: Yes.

Mr. Deputy Chairman: Mr. McIntyre, do you wish to clarify the reasoning beyond this amendment.

Mr. McIntyre: By deleting paragraph (f), "is the purchaser of land, or any interest in land, under an agreement for sale with the Government of the Yukon Territory, or has an interest in any such agreement, if the agreement to purchase was entered into, or the interest therein was acquired prior to the nomination of the person as a candidate for election to the Yukon."

We considered that that clause was unnecessary because in the case of the purchase of land, this is not a contract in which the person would have payments coming from the Government of the Yukon Territory to him. In fact, the opposite is the case. He would be paying money to the Territorial Government and it was considered that this clause would not have any real application. In other words, it was unnecessary.

In 8.(2) we are merely deleting clause paragraph (l), which also deals with a purchaser of land, or interest in land from the Government of the Yukon Territory and we came to the conclusion that that also was a different kind of a contract than the type of contract envisaged where a person would be receiving monies from the Territory.

Hon. Mrs. Whyard: Mr. Chairman, assuming that in all of these cases there would never be a misuse of information about land or an opportunity to acquire property which then became much more valuable.

Mr. McIntyre: Mr. Chairman, because of the provisions of the *Yukon Land Ordinance*, it is basically impossible, without amending that Ordinance, for a member to acquire land except by public tender.

Hon. Mr. Lang: Mr. Chairman, just for clarification then, therefore with the deletion of (f) and (l), it is my understanding that an individual who is a Member of the Legislature still can acquire land through the public tender process. Is that correct?

Mr. McIntyre: That is right, he can acquire land by public tender or even acquire land by line-up. Thanks to Mr. McKinnon.

Hon. Mrs. Whyard: Mr. Chairman, I am not trying to impute unworthy motives but if you delete (l), Mr. Chairman, which says "for the purpose of providing a residence for himself or his dependents," is there somewhere a section which covers someone purchasing land for other than a residence?

Mr. McIntyre: The land may be used for anything.

A Member of the House can acquire land by public tender or by line-up for a residence or for business. This is why we withdrew the amendments which would have given a limited privilege to a person to acquire land but it was our conclusion that the type of contract that a land purchaser enters into is not the type of contract that is envisaged by the previous sections which say that a Member of the House cannot have a contract with the Crown because this is a reverse type of contract in which you are paying for something, you are not receiving emoluments from the Crown.

Mr. Deputy Chairman: Any further discussion on the amendment?

Mr. Berger: Mr. Chairman, this has nothing to do with the amendment that was moved but I would still like to express my concern that the way it stands right now, we are allowing a director, officer, shareholder, member or employee of, and holds directly or beneficially less than ten percent interest in a corporation to sit as a Member in this House. My concern is that we are not allowing the majority— All we are really talking about here is a hand full of people, we are not talking about the large majority of people that we declare ineligible to run or sit in this House and I am talking about public servants.

If we are not concerned about the ten percent interest in any corporation, we should not be concerned either with an office employee who has actually no say in the everyday management of this Government, a grader operator who has actually has no

say about anything, yet we deny them the right to sit in this House, yet we are very much concerned, some Members are, about a hand full of people that have an interest in a corporation.

Ten percent, I said it before and I will say it again, it could be a large interest in a large corporation and could influence this everyday making of law and order in this country and I am quite concerned about this, Mr. Chairman.

Mr. Deputy Chairman: Any further discussion?

Hon. Mr. McKinnon: Mr. Chairman, if we are going to the vote on Section 8, there is no— Pardon?

Mr. Deputy Chairman: Any further discussion?

Mr. Fleming: Mr. Chairman, just some clarification because of what the Member has been speaking about, if this is the section that is going to cover all of this, and if we are going to vote on this section, I would really like the clarification as to what, if all this is in there or not, because I cannot find some of it and I want to be sure before I vote.

There is no other amendment for this section, is there?

If this section also covers the amount of holdings a person can have or shares and so forth and so on, and also covers the individual who might be there and does not own a company, somebody show me just what the clarification is between the two, because I have the same concern as the Member has. I do not want to see anybody, whether he has a share in a company, whether it is one share, two shares, three shares or whatever, being able to do something that a private citizen cannot do that owns something.

It is either one way or the other. Either we forget about it and let them own what they want to own and hopefully they will not get into trouble, and if they do, we catch them, or we say you do not own anything and you have got this job here. One way or the other is the way I will vote. You cannot have it inbetween.

Hon. Mr. Hibberd: Mr. Chairman, I understand we are merely voting on these two amendments. I have a further amendment that I would like to bring in, after these have been voted on. The debate seems to be ranging on to the general topic of Section 8 now.

Mr. Deputy Chairman: That is correct. We will be voting on the two amendments put forward by Mr. McIntyre.

Some Members: Clear.

Mrs. Watson: Mr. Chairman, by voting on this, this does not preclude any further debate on Section 8.

Mr. Deputy Chairman: Unless Members wish to change it, no.

Mrs. Watson: Just checking.

Mr. Deputy Chairman: Any further discussion on the amendments?

It has been moved by Mr. McIntyre, seconded by Mr. Hibberd, that Bill 102, entitled *An Ordinance Respecting the Council of the Yukon Territory*, to be amended as follows: in subclause 8.(2) at page 4, by deleting paragraph (f) and in subclause 8.(2): (a) by adding "or" at the end of paragraph (k), and (b) by deleting paragraph (l).

Shall the amendment carry?

Some Members: Agreed.

Amendment agreed to

Mr. Deputy Chairman: Shall the clause carry as amended?

Some Members: Agreed.

Hon. Mr. Hibberd: Mr. Chairman, as I indicated, I have a further amendment to propose to Section 8, before we vote on it.

As indicated by Mr. Clegg yesterday, one of the major alternatives that we could face is that of full disclosure, rather than taking the route which is outlined in Section 8.

I would like to have the opportunity to introduce an amendment and therefore get the views of all Members on how they feel as a particular alternative.

There are copies of this amendment that are now filed with the Clerk and perhaps they could be distributed.

Mr. Deputy Chairman: Are you the mover of this amendment which you are presenting right now?

Hon. Mr. Hibberd: Yes, I so move, seconded by Mr. Lang.

Mr. Deputy Chairman: Well, there seems to be a typographical error here. We have got the mover as being Mr. Lang.

We will have a five minute recess for all Members of Committee to study this amendment before we get into any discussion on this amendment before it is presented.

Recess

Mr. Deputy Chairman: I call Committee to order.

It has been moved by Mr. Hibberd, seconded by Mr. Lang, that Bill 102, entitled *An Ordinance Respecting the Council of the Yukon Territory*, be amended as follows:

(a) by deleting Clause 8 and substituting the following:

8.(1) every Member shall, within 30 days of being declared elected, file with the Clerk of the Council a statement in writing, signed by him, listing:

a) every parcel of land in the Territory of which he is the legal or beneficial owner or in which he has legal or beneficial interests, except a residence used principally by him or his family;

b) every contract or agreement with the Government of the Yukon Territory in which he has direct or indirect interest in

(i) with respect to the public service of the Yukon Territory, or

(ii) under which any public monies are payable; or

(iii) under which any payment, loan or guarantee provided for or by public funds will accrue to him or to an entity in which he has share or interest.

c) every share in a company or interest in a partnership or proprietorship where the company, partnership or proprietorship holds a contract or agreement mentioned in subparagraph (b) or carries on business in the Territory where he is the legal or beneficial owner of the share or interest.

(2) Every member shall file with the Clerk of the Council a statement in writing signed by him of every addition to or change in his holdings of land, contracts, agreements, shares or partnership or proprietorship interests mentioned in subsection (i) within 30 days of the addition or change.

(3) The Clerk shall retain every statement filed pursuant to subsection (1) or (2) until 12 months after the member has ceased to be a member and shall make every statement available for public inspection during normal business hours and permit any person to take copies or extracts thereof.

(4) Every member who refuses or fails to file his statement required by subsections (1) or (2), or willfully makes a false statement or omission therein is not eligible to be a member of the Council or to sit or vote in the Council.

I do not wish to proceed to read out subclause 9 or 10, because I do not believe they are part of Clause 8, but they will have reference to to the change in the amendment.

Hon. Mr. Hibberd: Yes, Mr. Chairman, as I indicated, this in the Committee as well as the discussions we have had here, we have a good deal of difficulty in trying to solve a very difficult situation with regard to conflict of interest, and this was one of the major proposals that Mr. Clegg offered to us yesterday, and in proposing this, I would very much like to hear what Members have to say with this as an alternative to the present section 8, as it now exists.

The other sections that are in this, (b), (c) and (d), would have to be brought forth, I think, as separate amendments, if we were to pass this first section (a), but they are really included here to primarily to give one an idea of what we would have to

do to tighten it up, commensurate with the full public disclosure approach.

Mr. Berger: Yes, Mr. Chairman, I voiced my objection to the present subclause (b) in Section 8.(2)(b), and now we come forward with an amendment to this which the only thing I can compare with is the present clause as we have it before us with a half inch open water pipe, but this thing would open up a six inch pipe and we will get flooded, and I cannot live with this here at all, Mr. Chairman. I would have to vote against this amendment wholeheartedly.

Some Members: Why?

Hon. Mr. McKinnon: Mr. Chairman, I think that we are at the point where every Legislature finds itself and deals with the conflict of interest. It is a very sensitive and a very touchy subject with many alternatives that are available and it is up to us to figure out the best one that suits the Legislature of the Yukon at this time that we are presently facing.

As everybody knows, the present section 8.(1) is presently in the *Elections Ordinance* which has now been repealed, that section. Mr. Chairman, I dare say that with the tightness of that that if people had have wanted, in this last Assembly, to make some allegations and some charges as to certain Members who were sitting here that those Members would probably have been declared by this House as ineligible to sit in this House. That did not happen, Mr. Chairman, because nobody wanted to. The concept of a guy filling up a Territorial Government car or allowing some people after a bid has been sent out for housing, some Territorial Government employees, never came to the floor of this Legislature and I commend honourable Members for not taking the time of this House with these nitty-gritty little picayune pieces of loose change that some Members may have been picking up but which legally and technically made them ineligible to sit in this House if that matter had of been raised.

We are going into a new era of politics in Yukon, it is partisan politics. I am telling you, and I guarantee that these questions will no longer be left to the individual Members to bring to bring or not bring up under party politics. It just does not work that way. If anybody does not know that by now, they should know that the way it works is that you are doing your level best to make sure that you either get into power, stay into power or to make sure that people who do not support you are got out of the decision making role or out of power quickly, or by any methods that can legally and technically be used and it will be used. You know it as well as I do.

So I think the Honourable Member, the Chairman of the Committee on Rules, Privileges, Election, his committee realized this. So what did they do? They went about devising methods which does not make it as stringent as it is presently under the *Elections Ordinance*, because they knew of the problems we were going to get into through partisan politics.

I think they went around and around, from what I understand of the committee meetings, on many different areas and concerns, and had almost a hung committee at many times, because of different approaches and different methods that different members of the committee wanted to attack this very sensitive area.

I have no problems with what they have come up with except Section 2.(d) which, really, I agree with the Honourable Member from Teslin, either nothing or all. How can you get this ten percent, five percent, fifty percent or what is it. I find that there is just so many methods through the area of party politics that you are going to be able to get around any of these sections that are in here. And they will be used, so you are using these sections of the law and the ability to circumvent the intent of the law, and I just know there will be all kinds deals if people are serious about running for office, whereby they will turn their shareholdings over to someone to hold for them until they are through with office, and then those shares are turned back.

I think that it just lends itself open to all types of abuses which I can see becoming rampant and deals that will never be known to the public because they will be made through a member and through a lawyer-client relationship, so none of it will ever come to light.

Mr. Chairman, because of that, I think that there is a self-policing type of action which would be the best method that this House could go to at this time and that would be the full public disclosure type of approach. There is nothing more distasteful to a businessman than putting it out for public record. I admit, that when it came to me to do it under the Executive Committee provisions and guidelines, that I did not like doing it. It was distasteful to me to put on public record, what I had and where my money was, and what shares and interests I had, albeit very minor, in different companies, but I did it because I thought that I had to make sure that the public were protected if I were going to be in a decision making basis on the Executive Committee level. So it was done, and it was there and I learned to live with it.

Now for an ordinary member, Mr. Chairman, I do not think he should have to go through the blind and frozen trust of getting a trustee, as a member of Executive Committee had to. And fine, I think I have said, and I think we agree, that probably rather than guidelines, we have a law which is probably the strictest law that applies to cabinet ministers in Canada, as to how they put their holdings when they become a member of this cabinet.

Other provinces and federal jurisdictions still only have guidelines. Fine, I think that we were proud in the forefront of this type of an endeavor, to make sure that the public would know if we were using our positions to feather our own nest and if that was that.

However, Mr. Chairman, I do not think that those apply to an ordinary Member of this House, but I do feel that if he used the method of public disclosure and it was on the Clerk's books, his holdings and any conflict of interest that he could have, then it would be a self-policing item without going into the subterfuge which is going to happen and which these amendments presently leave themselves open for,

A guy would have to have had public disclosure. It is already under Section 9 of our Standing Order that no member is entitled to vote upon any question in which he has a direct pecuniary interest and the vote of any member so interested shall be disallowed.

Mr. Chairman, in party politics, if the guy has got it out in public what he has in his holdings and he attempts to vote in this House, the wolves are going to be down on him so quickly that it would make you head swim and the guy would be kicked out of the House just as a matter of course. It is as simply as that.

So, I think that there is very real protection under the public disclosure.

Mr. Chairman, that satisfies the point that the Honourable Member from Hootalinqua makes, which I agree with him. I would certainly think so, Mr. Chairman, because, Mr. Chairman, certainly if it was small contracts and bids and there was public disclosure and the Honourable Member who was involved in any such contract bidding did not vote on that question in the House, Mr. Chairman, then certainly it would be up to the dictates of his own conscience and as the public saw him, whether there would be any pressure or any move towards any such Member being or not being a Member of this Assembly.

Mr. Chairman, I say that that is far better protection than the present amendments to the *Ordinance Respecting the Council of the Yukon Territory*, as we presently have them before us.

I can see all kinds of difficulties, no matter which route we go, whether we go back to the Bill as it was, without the exemptions, which makes it even more stringent, and I know that we would have a zoo, probably, in the next House, or the do the Section with the amendments—. Mr. Chairman, I just

say that it is so easy to subvert the intent of this law by a simple arrangement with a good lawyer, that it would just be the easiest thing in the world to do and people would just be subverting the intent of the law and still be eligible and no one would ever know that they were not eligible to be able to be Members of this Assembly.

For all of the disadvantages that I see in the present status, in the amended status, I just think, Mr. Chairman, that we are far better off and are going to have a far more effective and a far more workable system, through the system of public disclosure than through any other method which has been suggested to this House at this time.

I cannot see the blind or frozen trust. It is much too prohibitive for an ordinary member of this House. There are just too many methods of getting around the amendments as they stand. The repeal sections of the *Elections Ordinance* are just far too stringent in the new era of politics that we are going into at the Yukon Legislative Assembly and I know, am positive, that the most effective and the best way of controlling the members' conduct is through the sections which we already have in place in our Standing Orders, the sections which I see that, under the amendment that Mr. Hibberd proposes in 32 and 33, and the public disclosure.

It may be distasteful, Mr. Chairman. It was distasteful to me for a period of several days, but what the heck, I think that is what we are here for, to make sure not only that we are not using our positions to influence any of the decisions that are made, but at least appearing to the public also, and that is what you do through public disclosure, that you are going to be Simon pure and that you are not going to be feathering your own nest and there is no way, shape or form that you will be making decisions that will affect anything which you have personally to gain from.

I think it by far of any of the suggestions and any of the concepts that have been put forward at this time, it is by far the most workable and by far the most workable system that we could go into at the present time.

Mr. Fleming: Mr. Chairman, I have to agree with the Minister in that instance. The problem, and I would be willing to put forth some amendments, if I could get a seconder, that we delete (b) and (c).

Mr. Deputy Chairman: There is an amendment on the floor, Mr. Fleming.

Mr. Fleming: Are we speaking only on the amendment?

Mr. Deputy Chairman: That is all.

Mr. Fleming: It involves the same thing, but the amendment, Mr. Chairman, does not delete (b) I do not think. Is that the Member's intent, to delete (b) and (c)? Because you speak of two different things. One is speaking of a director or officer, and the other is speaking of land, and so forth and so on. It deletes all of 8, completely?

Mr. Deputy Chairman: Order please. Mr. Hibberd, do you wish to clarify Mr. Fleming's concern?

Hon. Mr. Hibberd: The proposed amendment, Mr. Chairman, deletes the entire section 8 that is presently in the Bill now.

Mrs. Watson: Yes, Mr. Chairman. I am quite concerned about the remarks that the Honourable Minister of Local Government made. Some of them were really quite misleading and very much on the verge of procrastination.

I have heard him come into this House and make very emotional pleas, and I am really quite concerned about the position he has put forward on this, the absolute authority that he is, the absolute authority that anybody can find their way around section 8, (1) and (2), absolute assure you.

Now we have had draftsmen, who have been working on this piece of legislation for some time and yet a layman can come forward and say "I can blow all sorts of holes in that right as of

now, and so can everybody else", which is far from the truth. I am concerned with the amendment that is before us, and I have been no different from anyone else, and I am a Member of the Committee, and we have done a lot of considerations and we have gone from extremely tight to the alternative of leave it wide open in desperation, and then we have come into a compromise position, attempted to. And that is very, very difficult.

So what we did was really to go, and I hope the Honourable Member from Hootalinqua notes that all of 8.(1) will be taken out. There will be absolutely no disqualification if this amendment goes through, absolutely none.

You can have any contract, any deal with the Government that you want and still sit in this House. Any deal, and it will not be illegal to do so. All you have to do is stand up and say I have a contract with the Government.

That is all that this section is expecting you to do, but, Mr. Chairman, the ramifications are extreme. Absolutely extreme.

We sit very sanctimoniously and members of this House very sanctimoniously and say, I do not think that Government employees should have Government contracts, or their wives or families. They should not be allowed to bid on them. They should not be allowed to have a Government contract.

Now, we are saying that we here can sit here and have a Government contract, but I am going to tell that civil servant, who has a small business or who may want to make a little bit of money on the side, they do not have that long working hours, that you cannot bid on Government contracts.

It is fine for us. All we have to do is declare, but you cannot bid on them or hold a Government contract.

We must, if this goes through just with disclosure, and the civil service, the members of YTG are looking at the conflict of interest guidelines also and they are waiting to see what ours are like. Fine, what is sauce for the goose is sauce for the gander.

We want to, and I can understand why the members are concerned, we want to make it possible to have people who have dealings, who are supplying goods and services to the Government, a business community within the Territory, to have representation here. I am all for it. I think we need a good cross-section and we do not have it and we would like to have it.

But, by the same token, we cannot say, okay, we will bend the rules. You can still hold your Government contract. You can still have your agreements, as long as you declare them it is okay and you can sit in here. But we are still saying, though, to the civil servant, if you run for election, you must ask for leave of absence during your nomination and while you are running and, if you win, you quit, your job ends.

Nobody cares about his future, the investment in the pension scheme that he has with the civil service. Nobody cares about the loss of seniority and nobody is even guaranteeing him his job back.

So, his investment in his profession and in his position within the civil service goes down the drain. We want him to make that sacrifice.

A guy who works for someone else, or a woman, a lady and they have a job, this individual has a job, a good job, but they think that they would like to become involved in the Yukon Territory politics because they have quite a social conscience.

Their decision then is to, they must sever that job, in most instances. An employer cannot give them that much time off. They have to make that decision and they are not assured of a job.

And yet we are saying, in this, it is okay if you supply, you can continue to supply those goods and services so that, because you cannot live on the MLA's pay, you have got to have an extra income. What do you think the civil servant is going to eat when he is on MLA pay? What do you think the other employees are going to eat when they are on the MLA pay?

It is a very, very dicey, sensitive area and I would very, very much like to have, and we must have people within our business community represented here. But we have had in the past, people who have divested themselves of their interest, and I know of several individuals who have served for many years in the political arena of the Yukon Territory, and they sacrificed that personal gain for that salary and those people could have been extremely successful in the business community in the Yukon Territory and it could have been extremely lucrative to them financially, also. But they made that decision.

So, I cannot see expecting no disqualifications whatsoever and just the public disclosure, when we are asking, this is for the people who have the contracts and have the relationship, the financial relationship with the Government, when we are asking everyone else that you break your ties coldly.

It would be a great disservice to the people of the Territory if we brought in these amendments now. People are very critical of politicians today. They have no confidence in Government, for many reasons. Some of them are good and valid and they have lost confidence in Government and I can hear people say, well, why, look at so and so sitting there, they have got that contract with the Government. Why can that guy bid against me. He is an MLA.

And you have to turn to him and he will say, what are you going to do about it? It is wrong. And you are going to have to turn to him and say, no, that is perfectly legal. That is perfectly legal. He can bid against you. He has got his MLA pay. He wants that \$15,000 contract and that contract is your livelihood. If you do not get it, you are going to be in trouble. But he has got his MLA pay and he is still going to go after that contract.

That is pretty hard to tell people and still expect them to have confidence in Government. We have to somehow or other try to protect the good—. I am using the phraseology "name", which is not the right phraseology, of the Legislature and the Members in it. I think we have that responsibility to the public of the Yukon Territory and we have that responsibility also, when we go for this, we have a responsibility to the members of this public service of this Territory to make sure that their conflict of interest guidelines are such that they are in just an advantageous position as every other Member in this Legislature.

I will not support the amendment, Mr. Chairman.

Hon. Mr. Taylor: Mr. Chairman, I have listened with great interest to the remarks of members of the Committee thus far and many of my points have been very well taken, particularly by the Honourable Member from Kluane.

I have looked at the amendment and I have given quite a bit of thought to the question over the past number of weeks. I share the concerns as expressed by some members, certainly the Honourable Member from Klondike and the Honourable Member from Kluane in this regard.

I have been around this Legislature for a few years and I have considered at great length the sacrifice that each member, more particularly myself, would have to make each time I have placed my name in nomination or election for a seat in this Assembly.

I have not been too happy with the fact that I have to give up my, for instance, small things like volunteer fire department pay, this type of thing, that I have insured that I have removed myself from accepting any monies from the Consolidated Revenue Fund, knowing full well that I must make that sacrifice or else I ought not to be sitting in this Chair.

The law as it has existed has said that, clearly, that no person by himself, with another person or by the interposition of a third party shall enjoy a contract with the Government of the Yukon Territory and still retain his seat. That must be.

It was stated in debate here today that there is going to be a new area of politics and indeed there is, but there is still an old system of morality, I think, that we have to consider and a

fairness, a fairness to the public, a fairness to other people in Government who cannot exercise the same, perhaps, opportunities and so forth that members of this Legislature could provide themselves.

I have looked at the amendment. I have tried to find, as I am sure all Members have, some solution to this question to come to grips with it. I certainly commend the Committee who have worked long hours on this question. Obviously, we are unable to come up with an accepted, morally acceptable and physically acceptable solution to the problem.

Certainly I cannot, in any way, shape or form, as some Honourable Members, accept this amendment. I just cannot do it. My people would do anything short of shoot me if I did and that is who I am here to serve.

I know that this is totally unacceptable to a majority of the people of Yukon, certainly that I represent.

So what I would suggest is that the amendment be defeated at this time and that the new system of political beings that come and run in the next election and find their way into these Chambers be asked to take a look through their committees at this total question and see if they indeed can come to grips with it.

But I think that it would not be fair to simply conclude that we must find some other answer than the laws which are in force at this present time which prohibit one from sitting in this Chambers and enjoying a contract with Government simply for the reason that we have got two days to go and we have got to find an answer. I say we have the answer and let the new Assembly change it. I must regrettably be voting against the amendment.

Mr. McIntyre: Mr. Chairman, I rise, not in support of this amendment, but completely against it. I was against it in Committee, and probably the main reason why it wasn't produced from Committee was because as Chairman I refused to accept it, and said that I would resign from the Committee if they proposed this in this Assembly.

Every other jurisdiction in Canada including the Federal jurisdiction, is proposing legislation at this time that will be at least as stringent, and probably more so than what we are proposing. The type of legislation introduced in this amendment that we are discussing now is the most open invitation to rapacious politicians to become elected to this Assembly, to control the coffers of the Territorial Government, and this is exactly what you are asking for and it is exactly what you will get if you pass this amendment.

Mr. Deputy Chairman: Thank you, Mr. McIntyre. Any further discussion?

Mr. Fleming: To echo the Member's words, Mr. Chairman, I am not going to vote for the amendment. There is no question about that at all. I have sat in this House for almost four years now, and I was, in all that time, under pretty stringent regulations, when you read Section 8.(1) here, which we were all under to start with really, when we came here, and I am quite prepared to do so again. I think anybody else should be prepared to do so.

I will not go for the amendment because it is just entirely too loose, and it suggests giving everybody the freedom they want, and of course, it would also delete Section 8, which I think should be there, other than some areas in it, which I will fight when we come to that too, because I will not agree with it entirely, and the point that I can not agree with—well, I guess I had not better not even speak of it now, on Section 8, but I will not vote for this amendment for the very same reasons that the Members have given around me now.

Mr. Lengerke: I think Members of the Committee would certainly know my position on this particular amendment. I, in Committee, said yes, I concur. I like the idea of public disclosure, I think that is great. But I think you will also recall that I said that it probably did not go far enough and I know that

Members of Committee did not agree with me on that one. They did not like the combination that I wanted; I wanted to put some more conditions along with this, because I did not think that the disclosure part of it went far enough.

It is all well enough to disclose all these things, and as I said, I have no problems with doing that, but I sometimes wonder, just by virtue of disclosing all these things, what really are you going to be penalized for? I certainly do not agree, and I never have and I stand again today, and I do not agree that people should hold government contracts, if they are a Member of the Legislative Assembly. I just do not agree.

Mr. Deputy Chairman: Thank you, Mr. Lengerke. Is there any further discussion on the amendment?

Hon. Mr. McKinnon: Mr. Chairman, I think that there were definitely some motives that were given to the mover of the amendment, the people who spoke in favor of it, that really are not deserved. I think that everybody is having the same problems of trying to arrive at a sensible compromise that is not too tight or too loose, and all right, if that amendment is too loose, Mr. Chairman, the one in here is too tight. We are just eliminating the exact people that we want in this House, who represent a valid part of Yukon society. Mr. Chairman, we are just as bad off by not having part of that society represented, the biggest business in the Territory, as we are being too loose the other way. We have not reached that point, Mr. Chairman.

I do not think any Member of this House can say that they are satisfied that we have reached the area where we have got the type of conflict of interest guidelines that we want, that are going to allow all segments of society to have an equal chance at being elected. When they put their name up for nomination, I dare say, Mr. Chairman, that a hell of a lot of good people who would be of benefit to this House, because of these Sections that are obviously going to pass, are not going to be nominated, not going to run, not going to be elected to this Assembly, and the Yukon in the future is going to be the big loser for it, Mr. Chairman.

Mr. Deputy Chairman: Thank you, Mr. McKinnon. Any further discussion on the amendment?

Hon. Mr. Lang: Mr. Chairman, I would just like to make a few comments. And I think we underestimate the people of the Yukon somewhat in respect to people who are prepared to put their names forward to run for office. I think most people, whether they be from the business sector or from the labour force, or whatever, are civic-minded and are sincere when they do put their name forward in respect to representing the electorate of the Yukon for a period of now which is 4 years.

I think it is important, Mr. Chairman, to realize that not only in Canada do they have real problems of how to put in guidelines in conflict of interest legislation, but also at the same time, they are having that problem in the United States of America. In fact, upon reading *Newsweek* here approximately a week or so ago, I noticed that there was a Senator resigning in view of the fact that there was real stringent conflict of interest guidelines coming in, and as he said, "I put my name forward and the electorate has chosen me, and even with the conflict of interest guidelines I can not go on a Committee if I have a knowledge or an interest in a particular business, because it is a conflict." Therefore in order to get on a Committee you can not know anything and be able to discuss it in a manner that is rational.

I think, Mr. Chairman, and I know the problems that we are under. The idea yesterday, as we were asking Mr. Clegg for his professional expertise in the various methods that could be gone into, that this was brought forward just to give an idea to people of what could be done. I do not know what further could be done in respect to going for open disclosure more than what is in here. I noticed the Honourable Member from Riverdale referred that he would have gone further. I would like to hear him expand on that. How much further would one want to go in

respect to that, as far as controls and this kind of thing are concerned?

Hon. Mr. Lang: I do believe Mr. Chairman, that unintentionally, or intentionally, if section 8 goes through the way it is, we are going to be barring a lot of good people running for office, and I do not think it is the wish of the people in the legislature now, and the public, to all intents and purposes, to discourage and prevent people that have been in private enterprise from running for office. You have got to realize that when you run for office, it is a four year term, it is very uncertain, you do not have the security of a pension plan and the security of a job somewhere in the public service or some areas in the private sectors. When you are finished with the four year term, that is it. You either put your name to the ballot box again, and you may be elected or you may not or else you go into other endeavours. Therefore, at the same time, you have four years of probably of your best earning life, have gone by. I think that, Mr. Chairman, I would like to hear what the Honourable Member from Riverdale was referring to in his remarks, to just how much further this particular concept of disclosure could go further than what it already has, if that is alright with you, Mr. Chairman.

Mr. Lengerke: Mr. Chairman, yes, my concern is that I felt that the disclosure as I said, I agreed with it, this is fine, I think disclosure of your affairs, nothing wrong with it whatsoever. Just by disclosing, does not mean to say that again there are conditions that go with that, that say you cannot hold a government contract. These are the kind of things that I wanted to see in writing. In other words, that you did, in fact, know what you could not do. Those are the kinds of conditions. They are prohibitions in other words. I wanted a list of those and I know that in committee, that this was not agreed with. I stood alone on that because I said, it is rather tough to do. Either you are going to put down the prohibitions or you are going to have disclosure and we went around and around on this and other members of the committee will certainly concur on that, you know, we ended up with a rather good split on this. I thought it did not go far enough. By virtue of just disclosing, what does that do? Sure, it puts your affairs out on the table, but a person who wants to take some action against you for whatever, should still have some guidelines to know what he can take that action for. And as I said, I go back to the old school, that I think that people have made a lot of sacrifices in the past that have run, there are good business people who have been involved in Territorial Council, there have been civil servants, former civil servants, there have been people from all walks of life that have made sacrifices to be in the public service, to be in the legislative process. And they will continue to do so. I agree that we are going into a new era of politics, and I agree that it is tougher to find candidates and people to come forward. And I agree that we do need a business man or two who knows something things about financial matters and the rest of it. We have got to make it easy for them in some respects, but we have all sides of the coin to protect. It is a tough one. And that is exactly why the committee had such a dilemma. And I do not know, I like the comments of the Member from Watson Lake who suggested that maybe it is just pushing it on further and getting rid of a problem, asking that the next elected group maybe tackle this position, tackle this kind of a problem, because they will be tackling it from a different form, from a different aspect. Yes, well, if you go with the same guidelines and conditions that we operate under right now, I ask the Member, under elections ordinance we do not change a thing. We are tougher right now.

Mrs. Watson: But we amended it.

Mr. Lengerke: But we would have to go back to do some appealing and repealing and the rest of it. I know there is a dilemma here.

Mr. Deputy Chairman: Mr. Hibberd, I would like a clarification for the Chair. Am I to understand, you being a member of this Committee that you, individually, have brought forward

this motion from the Committee, over and above the consensus of Committee and the Chairman.

Hon. Mr. Hibberd: No, Mr. Chairman, as has been indicated in the debate up until now, the Committee had a great deal of difficulty in reaching a definite conclusion.

What the Committee did reach consensus of was to proceed with the Bill, but to offer the various alternatives. Let them be exposed on the floor of the House and get the opinion of all Members and that is precisely what I am doing in bringing this forward at this time.

Hon. Mr. McKinnon: My amendments say moved by Mr. Lang.

Mr. Deputy Chairman: It has been corrected, Mr. McKinnon.

Any further discussion on the amendment?

Shall the amendment carry?

Some Members: Agreed.

Some Members: Disagree.

Mr. Deputy Chairman: Could I have a show of hands?

The amendment is defeated.

Amendment defeated

Mr. Deputy Chairman: I will declare a brief recess.

Recess

Mr. Deputy Chairman: Prior to recess we were on Clause 8. Shall Clause 8 carry as amended.

Mr. Fleming: Mr. Chairman, I have an amendment in Clause 8. Shall I start reading the amendment or shall I just carry on?

Mr. Deputy Chairman: Do you have copies?

Mr. Fleming: Yes.

Mr. Deputy Chairman: We have run out of copies so the members who have received copies will have to pass them on to other members so all members can have copies.

It has been moved by Mr. Fleming, seconded by Mr. Berger that Bill 102, *An Ordinance Respecting the Council of the Yukon Territory* be amended as follows:

Paragraph 8.(2)(b) on page 3 be amended by deleting the words "ten percent" and substituting the words "one percent" and that paragraph 8.(2)(c) on page 4 be amended by deleting the words "ten percent" and substituting the words "one percent".

Any discussion?

Mr. Fleming: The reason for the amendment in the first place, is that section 8.(b) and (c) are not fair to every person in the Yukon Territory who wishes to run for a seat in this House.

As an example, I would have to say that a person who is in private enterprise and who has not got a limited company, and owns his own small business, is under section 8.(1), and there is no way that he can deal with government contracts, there is no way he can get his hand in, there is no way he that he can go to a directors' meeting and sit and say Mr. Manager of this company, will you do this for me or get a contract with the government. There is no way he can do anything like this, and the only way he can do it is to do it himself, and he is in the wrong and he can get caught at it. So he is tied to that. When he runs for public office here, he stays out of government business entirely.

The person that owned ten percent of a large corporation, and who is a director or a chairman or so forth in that company, and possibly maybe two or three of them maybe even sitting together in this House, can go to a meeting and suggest and say to the manager of that company, Mr. Manager, you will sell the government so many cars of our company, or so many televisions or anything else. He has that right if he has ten percent to do these. In other words, the corruption chance is right there. It is that simple and he is allowed to do it without any qualms whatsoever.

In the amendment, a person of that stance cannot do that. A person with one percent of any company, would be such a small shareholder, that he would not be in that position, I am sure, that one percent of any company would not be in that position. However, it would allow people who are in the Territory and have shares in mining, and so forth and so on, which is probably maybe a thousand dollars, a hundred dollars, fifty dollars, whatever, in amounts of money, and are actually shareholders in the companies or anything else, would still be eligible to run for office without any problems. That is the reason for the amendment.

Hon. Mr. Lang: Mr. Chairman, I think that there has to be some leeway in respect to the legislation we have before us, I question whether ten percent is enough. I think it is fair to say that we should not close the door entirely to people who are in the private sector, and I think that if you look further into the legislation that it specifically states that if a person has a pecuniary interest in a matter, he or she cannot vote. If he or she does vote on it the matter that they have an interest in, the courts or the Legislature can take the appropriate action. So therefore, I would assume that there are enough controls built into the legislation that we have before us without tightening it up even further in respect to the exemptions that you have under section 8 because I think that we must have the ability of getting some people from the—. Can I finish, Mr. Chairman?

M. Chairman: Sit down Mr. Lang.

Mr. Fleming: I am speaking of agreements with the government and contracts, Section 8.(b) and (c). We are not speaking of voting in the House.

Hon. Mr. Lang: In conclusion, Mr. Chairman, my point is that I believe that there is enough safeguards in the legislation, further on into the legislation in respect to the ability of policing members and I do think that there has to be some leeway. I should point out that it is my understanding, and the Chairman of Committee can maybe correct me if I am wrong, is that this is this particular section was in the previous legislation that was repealed last Session, similar to this particular section. But at any rate, Mr. Chairman, we have to have some leeway, and I think it is minimal and I think it should stay the way it is rather than being amended.

Mr. Lengerke: Yes, Mr. Chairman, I just wanted to ask Mr. Clegg a question on that particular matter. In Section 8.2(b) then, for instance, if a member has shares in say, Westio Rasco, or some company that sells culverts to the Territorial Government, or is a subsidiary company that does manufacture that kind of goods and services, that then does preclude that Member from having, well, all he could hold is 1 percent, is that right?

Mr. Clegg: Mr. Chairman, the effect of 8.2(b) is to prevent a Member from being disqualified as a result of a contract considered by a company in which he holds a certain shareholding level. As it stands at the moment, he could hold up to 10 percent before he becomes fixed with that company's conflicts. The amendment would have the effect of saying that he would only escape being being fixed with the conflict of that company if he had less than one percent. That effectively removes him from the level of perhaps a management or a directorship position to a person who is an ordinary investor and very much a minority shareholder in the company.

To answer the specific example which the Member raised, if the Member for example had \$ 5000 worth of stock in Westio Rosco, which would be a good deal less than 1 percent of the shares in the company. Under this amendment, he would still be free of being fixed with a conflict with the company, and if that company concluded a contract with the government of the Territory, the Member would not be disqualified. But if his shareholding was more than 1 percent, if he was a very substantial shareholder in the company, at 2 or 5 percent, he would then be disqualified if the company did trade with the Government.

Mr. Deputy Chairman: Thank you, Mr. Clegg. Any further

discussion on the amendment? Shall the amendment carry? May I have a show of hands, please?

Amendment defeated

Mr. Deputy Chairman: Shall clause 8, as amended carry? A show of hands please.

Clause 8 agreed to

Mr. Deputy Chairman: Members please go to Clause 13.

Hon. Mr. Lang: Was Section 9 carried?

Mr. Deputy Chairman: Pardon?

Hon. Mr. Lang: I do not believe Section 9 was carried, was it?

On Clause 9

Hon. Mrs. Whyard: Good for you, Dan.

Mr. Deputy Chairman: There were no amendments on Clause 9. Shall the Clause carry?

Hon. Mr. Lang: Mr. Chairman, I have a question for the witness and that has to do with 9.(1)(c), where you refer specifically to "parent", and is the intention of this particular section to in respect just to voting that one cannot vote on a particular area?

Hon. Mrs. Whyard: That is what it says.

Hon. Mr. Lang: I just want the clarification, Mr. Chairman.

Mr. Clegg: The only effect to this section would be that the member would not be permitted on an issue which affects a contract which his parent held. It would not put any disability on the member and it would not put any disability on the parent, or, in fact, on any of the family mentioned in that clause. Just in the particular instance of a vote effecting a contract held by a family member, including a parent, a member cannot vote.

Mr. Deputy Chairman: Shall Clause 9 carry?

Clause 9 agreed to

On Clause 13

Mr. Deputy Chairman: Members please go to Clause 13.

The amendment to Clause 13, presented by Mr. McIntyre, and this was presented on April 26th,

Mr. McIntyre, are you considering withdrawing this particular amendment?

Mr. McIntyre: Yes, Mr. Chairman.

Mr. Deputy Chairman: Is it agreed by Committee?

Mr. McIntyre: I have another one to substitute.

Mr. Deputy Chairman: Thank you, Mr. McIntyre. Is the Committee agreed to withdrawing the previous amendment?

Some Members: Agreed.

Mr. McIntyre: Moved by myself, seconded by Mr. Hibberd, that Bill Number 102, entitled *An Ordinance Respecting Council of the Yukon Territory*, be amended as follows:

in Clause 13 at page 7, by deleting subclauses (2) and (3) and substituting therefor the following subclauses:

(2) a person who is declared to be disqualified from being or ineligible to be a member of the Council:

a) by a court pursuant to the *Controverted Elections Ordinance*, or

b) by the Council on a ground arising under this Ordinance, and who sets their votes therein declared to be so disqualified or ineligible, is subject to a penalty of \$200 for every day on which he sits or votes.

(3) any person who would be entitled to vote at an election under the *Elections Ordinance, 1977*, where there is grounds to believe that a member is subject to a penalty under subsection (2), may commence an action in his own name in the Supreme Court for an order that the penalty should be paid by the member to the Consolidated Revenue Fund.

The original section found objections in the House because it provided for metis of one-half the penalty going to the person

bringing the action. Some members objected to that and there was some clarification required.

Mr. Deputy Chairman: Thank you, Mr. McIntyre. Any discussion on the amendment?

Hon. Mr. Lang: Mr. Chairman, on section 2 there, I notice that we have stated that in the original Bill "is made or declared to be ineligible." Section 2 states a person who is declared to be disqualified, and it goes on and "is subject to \$200 for every day in which he sits or votes." Should that not be further clarified, that that is after he or she has been declared ineligible? Mr. Clegg?

Mr. Clegg: Mr. Chairman, I have noted that is a typographical error in the amendment, in the line which reads "and who sits or votes therein". It should read "after being declared to be so disqualified or ineligible." The words "after being" are omitted. It is the eighth line of the text of the amendment.

Mr. Deputy Chairman: Thank you, Mr. Clegg.

Hon. Mr. Lang: Mr. Chairman, is that going to be taken as a typing error?

Mr. Deputy Chairman: Yes. Any further discussion.

Hon. Mrs. Whyard: Mr. Chairman, I would just like to thank the Committee for making that change in 3. It sits much more comfortably with me. Thank you.

Mr. Deputy Chairman: Shall the amendment carry?

Amendment carried

Mr. Deputy Chairman: Shall the clause carry as amended?
Clause agreed to

Mr. Deputy Chairman: This Ordinance comes into force on such a day or days as the Commissioner may proclaim. Shall the clause carry?

Clause agreed to

Mr. Deputy Chairman: Shall the preamble carry?

Some Members: Agreed.

Mr. Deputy Chairman: Shall the title carry?

Some Members: Agreed.

Mr. Deputy Chairman: Shall I report the Bill out of Committee with amendments?

Some Members: Agreed

Mr. Deputy Chairman: I will entertain a motion. Mr. Lengerke.

Mr. Lengerke: Mr. Chairman, I would move that Mr. Speaker do now resume the Chair.

Mr. Deputy Chairman: Is there a seconder?

Hon. Mrs. Whyard: Point of order, Mr. Chairman. I had asked that we resume the reading of the Pioneer Grant after we completed that item of business and it was agreed that we would do so. We still have a good hour of work to do, Mr. Chairman. I have witnesses available to finish the *Pioneer Grant Ordinance*.

Mr. Deputy Chairman: I was not made aware of that at recess, Mrs. Whyard.

Hon. Mrs. Whyard: Well, Mr. Chairman, I made it obvious to the Chairman of Committee and to my colleagues, and I thought everyone involved. I did not realize that you were going to be sitting for the rest of the afternoon.

Mr. Deputy Chairman: At Committee's wish, we will go into the Pioneer Grant.

Some Members: Agreed.

Hon. Mrs. Whyard: Thank you, Mr. Chairman.

Mr. Deputy Chairman: I am here to oblige, Mrs. Whyard.

Hon. Mrs. Whyard: I would ask that Mr. O'Byrne and Mr. O'Donoghue join us as witnesses, please.

Mr. Deputy Chairman: Committee agreed?

Some Members: Agreed.

Mr. Deputy Chairman: Very well.

Hon. Mrs. Whyard: I would ask whether Committee wishes to continue with the reading and go back to the proposals for amendments which we had touched on earlier today, or whether you wish to consider those amendments which we have worked out this afternoon?

Mr. Deputy Chairman: Do you have these amendments available?

Hon. Mrs. Whyard: I believe we have, Mr. Chairman.

Mr. Deputy Chairman: Thank you, Mrs. Whyard.
Is Committee agreed?

Some Members: Agreed.

Mr. Fleming: I agree. I have an amendment, that is all.

Mr. Deputy Chairman: Okay.

Hon. Mrs. Whyard: When we rose at noon, the problem that we had encountered, as we we murred our way through to Section 6, was mainly in 4. The Honourable Member from Hootalinqua had raised a point regarding the qualifications for the Pioneer Grant, which would have excluded the younger spouse of a person 65 or over, if they were the owner of the household involved.

We have attempted to come up with an amendment, under 4.(1)(c), which would rectify— no, I beg your pardon, Mr. Chairman.

First of all, we were dealing with the residency requirements for time and members had agreed that we could go back to our original requirement of the same number of days residence as the Homeowner's Grant requirement. You asked that we bring this in as a formal amendment, rather than just having it typed.

It is difficult with two chairmans, Mr. Chairman, to remember what instructions we have had, but if I am correct, Mr. Chairman, the other Chairman asked that we bring it in in formal typed form and that is what you see in 4.(1)(c), if you would care to deal with that one first.

Mr. Deputy Chairman: I assure you, Mrs. Whyard, I am not going to rule it out of order.

We have with us the witnesses, Mr. O'Donoghue and Mr. O'Byrne to assist with this particular Bill.

As Committee agreed, we will go back to Clause 4.(1). Mrs. Whyard has brought forward an amendment to this particular clause.

Mr. O'Donoghue: Those are slightly out of order as they are typed.

Mr. Deputy Chairman: I was just going to make that point.

Mrs. Whyard, are you adopting 4.(1) as a different amendment or inclusive in clause 4.(1)?

Hon. Mrs. Whyard: Mr. Chairman, I would suggest that it comes at the end of (c). It is another section following (c), and if we deal with 4.(1)(b) first of all, we will be in the right order, as we work through it.

Ms Millard: I think we have thrown out amendments before that were in better shape than this. It really does not make logical amendment sense to me to read it the way it is. It should say to take out this piece and put in that piece and that sort of thing. We could be very confused with this.

Hon. Mrs. Whyard: Mr. Chairman, we could cut them in pieces and redistribute them, if members wish.

Mr. Deputy Chairman: If we are to follow procedure, Mrs. Whyard, I think that point that Ms Millard brought up is a correct procedure which should be followed so that there is no confusion.

Hon. Mr. Lang: Mr. Chairman, possibly in order to see whether or not that could be accommodated, as my colleague outlined, perhaps we could go to Bill 19, and read through it, as it is a housekeeping Bill that has been introduced into the Committee and we can carry on with that work while that

particular work is being done.

Mr. Deputy Chairman: Is the Committee agreed?

Hon. Mrs. Whyard: On no, I am not.

Mrs. Watson: Mr. Chairman, let us be realistic on this. We have not been using the law clerk. Mr. Cosman has been working on this legislation and if he were here, he has the forms for the amendments, the suggested amendments, routine with the government.

Now, Mr. Cosman is not present. We have asked for some amendments to be done. We have gone to a different area of the department who does not have these forms, who does not have the format that we usually have. Surely to goodness, we can either approve in principle these amendments that are here, and bring them in formally tomorrow in the proper form, but let us not waste the time and flit around. I would like to consider this, because there is a few questions I would like to ask on them and I think a couple of them might have to be reworked a little bit. But let us not just throw it back just because it is not quite the right form.

Mr. Deputy Chairman: Is Committee agreed?

Some Members: Agreed.

Mr. Deputy Chairman: Very well. We will go to clause 4.1(b), the proposed amendment as put forward by Mrs. Whyard, which I believe would replace 4.1 b) as it now stands. Is this correct, Mrs. Whyard?

Hon. Mrs. Whyard: That is correct.

Mr. Deputy Chairman: It would read; "to qualify for a Pioneer Grant pursuant to this Ordinance, an applicant shall have, or a spouse living with the applicant has owned or rented his or her principal residence for the year in respect of which the Pioneer Grant is to be paid." Yes, Mrs. Whyard.

Hon. Mrs. Whyard: This is our attempt to correct the deficiency as pointed out by the Honourable Member from Hootalinqua, who was concerned about spouses who were under the age of 65 and were the owners of the principal residence. And this, as all Members can see, provides for either of them to be the applicant.

Mr. Deputy Chairman: Mr. Fleming, I would like to continue, if I may, to finish off 4.1 c) because it makes reference to that also. So if the Committee would allow me to carry on before they start discussing this particular proposal, otherwise the Chair is going to be in great confusion here.

It goes on, and makes reference to 4.1 c) "and during the year in respect of which the application is made, have occupied his or her principal residence for a total period of not less than 183 days, 90 of which days occurred during the winter months." And that, I assume, is replacing 4.1 c), Mrs. Whyard?

Hon. Mrs. Whyard: Correct, Mr. Chairman.

Mr. Deputy Chairman: And to complete 4.1, it goes further to 4.1 sub 1. "In this section, the expression 'winter months' means the months of January, February, March, October, November, and December." That concludes the proposed amendment to 4.1., all the sections. Now we are open for discussion.

Mr. Fleming: Yes, Mr. Chairman. I take it that these will be brought in one at a time, such as (c), (d) and so forth, otherwise it will just confuse the issue again.

I am not satisfied with 4.1(b). If I may speak of 4.1(b) first--

Mr. Deputy Chairman: We are in general discussion on all of Clause 4 proposed amendments.

Ms Millard: Are they all one amendment is what he is after.

Mr. Fleming: Yes, Mr. Chairman.

Mr. Deputy Chairman: I will treat them as, I am treating them as one amendment, because they are all inter-related.

Mr. Fleming: And we will vote on them as one amendment?

Mr. Deputy Chairman: Yes.

Mr. Fleming: Then I will have to say that I will have to vote against all of them because of the one area, which is 4.1(b), and this does not satisfy me, as far as a spouse living with an applicant, because the principal, I thought, of this Bill, was to give to an old age pensioner \$300 if he lived in a residence and I am not satisfied with the fact that you are taking the residence and ownership and rental and mixing it all up like you would a Homeowner Grant, because it is not that type of grant.

Consequently, there are complications, again, and I know the members do not want to listen and that is fine and dandy, but there are complications, because you do not have to own a home to live in it and that person, if they are 65 years of age, should be entitled to the Homeowner Grant and they should not have to go and get a receipt that says they own it or they are renting it or anything else. If they happen to live there, that is their place of residence. That is all they should need.

You do not need all this other stuff that is in here because it is only going to create a havoc because there are people who living in this way today, that do not actually rent or own a home. Yet they are a senior citizen.

It is just that simple. I do not know, it seems very hard to make the key of the Government to understand, but, and I can explain and explain. I can give you an example where a young couple has given an old couple or an old person a home to live in and they do not necessarily own that home, or rent it. But he or she would be entitled to the Homeowner's Grant.

So therefore, why bring ownership and rental into a situation such as this, when the philosophy of the Bill is just to give money to a person who is not living off the Government?

Hon. Mrs. Whyard: Mr. Chairman, with respect, the philosophy of this Bill is not just to give money to people. It is to give some assistance to people who are paying utility bills to stay in their own place of residence, whether they are owners of that place--

Mr. Deputy Chairman: Mrs. Whyard, with all due respect, you have not been recognized by the Chair. Mr. Fleming was already discussing the matter and putting forward his views--

Hon. Mrs. Whyard: Okay, let us hear more from Mr. Fleming.

Mr. Deputy Chairman: Mr. Fleming, do you wish to complete?

Mr. Fleming: In this case, you are mixing up home ownership and rental with a situation where I should not say giving money, I am not saying giving money, but I am saying--

Hon. Mrs. Whyard: You said giving money!

Mr. Deputy Chairman: Order, Mrs. Whyard.

Mr. Fleming: You have got a grant of which the philosophy is to help old people, but not as a homeowner. If you have to be a homeowner to get it, that is a different grant.

If you have to be a renter, that is a different grant.

You are just willing, and I think you are willing, as the Government, to give an old age pensioner \$300 a year. Why should he have to own the property and why should he have to rent the property? If he is living there in that residence, is that not enough without saying he has to own and creating a problem because he might not own it?

I have an amendment myself but now, if the Chairman is going to put through this amendment as a total amendment, then I would have to change my amendment, and I could possibly do that very quickly, but I would have to get copies in.

I would move an amendment to this amendment.

Mr. Deputy Chairman: There is an amendment already under discussion, Mr. Fleming.

Mr. Fleming: I would like to move, Mr. Chairman, an amendment, if I could get a seconder, and I think I have one.

Mr. Deputy Chairman: The amendment has to be voted on

before you put forward another amendment.

Mr. Fleming: Oh, sorry, Mr. Chairman. We will wait on that, then.

Hon. Mrs. Whyard: Mr. Chairman, I thought that the objective and philosophy of this Bill was very clear in the minds of all members because we went through a White Paper on it earlier in this Session and agreed with the principal and policy.

We have embodied the principal and the policy in the Bill and, Mr. Chairman, the objective of this Ordinance is to assist people over 65 to remain in their own place of residence, whether they own it or rent it. But, they must not be receiving other subsidies from other programs which make it no hardship for them to stay in that residence.

Mr. Chairman, the purpose of this grant is to offset the cost of utilities which those people over 65 are paying themselves.

If you remove the requirement for ownership or for paying rent, and still provide this money, it is certainly a handout to everybody, whether they need it or not, and the basis for this Ordinance is that they do require it in order to stay where they are in their own homes.

Mr. Chairman, if we accept a wide open, universal grant of \$300 for everybody over 65, you are going to be paying it to people who are in subsidized housing, who are in public housing, who are in housing which has been given to them by the Government, and who are not paying these costs to stay in their own homes.

Mr. Chairman, that is not the object of this Bill.

I really have difficulty sympathizing with the Honourable Member in this approach, because, surely, if someone has given you a home and you are using it, you are going to be accepted as the owner when you apply for the grant. All you have to do is tell the director that you are in fact living there and paying the bills.

Mr. Chairman, I see no difficulty with this section as we have amended it, and we did so to oblige the Honourable Member who was concerned and rightfully so, because we asked that the applicant be 65 years or more. As he pointed out that, in many cases, the home may be owned by the spouse who is under 65.

So, we have amended that section, but, Mr. Chairman, we cannot make this a universal wide open grant to everyone, no matter where they live or whether they have costs.

Ms Millard: Mr. Chairman, I agree with the Member from Hootalinqua completely. I think he has brought up a very good example. I have known old people in my career as a social worker who have lived in places that they are allowed to live in by just general consent of people who actually own it and they have lived there for years and they pay utilities. They pay wood, they pay light and they pay everything else and they should be eligible. They should not have to have rent or ownership, because, when you put that down, even if you allow the spouse to be the one who does it, you are becoming exclusive of certain cases.

I know of cases, and I am certain if the Minister looked in her department, she would note of cases who, old age pensioners, who just simply would come under the description which the Member has suggested.

I do not see that it is going to give a grant to people living in a residence which is already subsidized by the Welfare department, because if the Minister would look at her own Bill, 8.(1), it says a Pioneer Grant will not be paid to someone who is a resident who is already being subsidized. You cannot say that they are being subsidized just because a friend happens to let them live in a little cabin out the back.

Hon. Mr. McKinnon: Mr. Chairman, that problem is so easily satisfied that all the owner of the property has to do is say to that old age pensioner who is allowed to use that cabin that he pays a dollar rent to the owner of that property in the course of a year.

Hon. Mrs. Whyard: Why?

Hon. Mr. McKinnon: Because, Mr. Chairman, the other instances are that there are hundreds, virtually hundreds in this community alone where the son or daughter or son-in-law and daughter or daughter-in-law and son-in-law take care, because they feel that it is an obligation upon them, and there still are people who think this way, to take care without any help of government, in any way, shape or form, of an older person.

Now, those people, and I know many of them in this community, are not going to apply for this \$300 a year because they have been doing it for years, they are well enough off that they can afford to do it and do it as a labour of love, taking care of those old folks and are doing and will continue to do so.

So, there is not going to be any application, or there could be application and the government knows that they do not have to contribute money for this type of an involvement and taking care of older people.

If they want to go for that \$300 a year, all they have to do is say this old person does rent a room or the premises in my house and they then become eligible for \$300 a year, without it being a universal handout, which was never the philosophy of this scheme, was never intended to be and, under the White Paper, which everybody agreed to, was not the philosophy, that it was a \$300 grant that you just gave out for a utility easement of payment to everybody over 65 in Yukon.

Now, everybody wants to change that philosophy so it is a universal, it is a universal, it is a universal type of application to anybody who happens to live in a residence, who happens to be over 65, regardless.

I got involved in this and it was really interesting. You know, you know how people react. When we made this decision of allowing old age pensioners to have cable rental at \$5 a month, you would be amazed at the number of little old ladies that came down, and I knew the circumstances, who all of a sudden said, my son used to have this cable in his name, but now I am applying in my name. They had sent them to do this and, of course, we just accepted. It seems like that, if there was anybody that small that they were going to do this kind of thing with their older people, for crying out loud, they could have the damn thing for \$5 a month.

But that is the kind of situation you get into on any type of these applications of benefits to the elderly people.

Mr. Chairman, I just say that there are all kinds of instances where this does not have to be a charge against Government, but it will be if it comes down to the universal application that Members want. For no reason at all, we will be spending money that does not have to be spent at all, Mr. Chairman.

It never was the intention. It was a pioneer utility grant to help pay for utilities, Mr. Chairman.

Mrs. Watson: Mr. Chairman, they keep saying it was the philosophy of the Bill, as it was outlined in the White Paper, is that it is a Pioneer Grant to help offset the costs of utilities. Nowhere in this legislation is that said. It is an open-ended grant.

The only place there is any hint to it is 8, but it does not say it is a utility grant to help defray the cost of utilities.

Five years from now, everybody is going to be talking about the Pioneer Grant, or two years from now, it is a grant that is given by YTG to senior citizens in the Yukon Territory, and they will wonder why they did not put it in as a supplement, making the Old Age Pension supplement a little higher, the Yukon one.

There is nothing in here that indicates that, and there is, I think the whole thing of this that is probably confusing us, and I think there is something wrong in the drafting and I mentioned it this morning and I am going to mention it again. When you say that the grant is to every applicant who qualifies for that grant, okay, but there is one grant per household.

But, if you look at page 2, 6.(2) and (1), "any applicant who is

qualified to receive a Pioneer Grant pursuant to this Ordinance shall not be eligible to receive more than one grant in any one year".

Any applicant. Now, "Only one pioneer grant is payable in any one year in respect of a principal residence". It should be "in respect of an occupant of a principal residence".

Hon. Mrs. Whyard: With respect, you can have more than one occupant of a principal residence and, as you see when you look at the form which we have drafted for you, there may well be two, three, four and five senior people all sharing the costs of a residence, which is their principal residence. But only one grant will be paid to that household.

Mr. McIntyre: Mr. Chairman, I was going to make that suggestion, that has already been made, that the person who owns and lives in a place and a person who rents and lives in a place is the occupier and it might simplify the thing if we referred to the applicant as a person who occupies the principal residence and, of course, there would be only one grant, according to legislation, paid.

But, it would solve the problem of an owner, because many people do not own the places they live in and they do not rent them either.

Mr. Fleming: Yes, Mr. Chairman, if I could get my amendment forth, that is exactly, what the Member has spoken about, what I would be wanting to do, is delete section (b) and you forget about it and you have got the same and the Minister of Local Government has stood up and emphatically argued the point that you are going to be giving something away to a bunch of people when it is not right, because you are giving it away. That is the principle of it, you are giving to the old age pensioners. When you say that they will abuse it—

Hon. Mr. McKinnon: —Independent in their own place.

Mr. Fleming: Okay, then you say now they will find out and they will be living with their daughter or living with somebody and then they will come forward and get it, well, if you say they can get it, well, then what does ownership have anything to do with it, if they can come forward and get it?

Goodness, the argument—

Hon. Mr. McKinnon: If they want it.

Mr. Fleming: Certainly. Certainly and they are entitled to it if they want it and I am just saying, with this, the way this is written up, you have to be an owner or a renter and so forth, or you have to go and change your ways of live and get a receipt from somebody that you do own and so forth and so on, when it is all not necessary because the grant does not change in one particle by removing that section, which is 4.(1) here, or whose spouse is living or the one the one that is in here, have owned or rented. You will remove that section, it does not change the Ordinance in any way, shape or form. It does not change who can get the money, in any way, shape or form, except that they do not have to get into a hassle to get it and they do not have to worry about whether they own the place or not. They have to live there and be 65 years old, 65 years of age. That is the principle of the Bill.

They have occupied the residence for a certain length of time. If you are going with ownership, you are going to have say people who own something, property, so forth, can get this grant. People who do not own property cannot get this grant.

I do not think that is what you meant to say in the first place.

Hon. Mrs. Whyard: Mr. Chairman, I am going to say it once more. We are trying to help people who do own or rent. We do not need to help people who do not have to pay for owning or renting their principal residence. They are already provided for.

But if you own or rent your own accommodation and are paying the bills, you are the people we are trying to help meet those bills. If you are not meeting those bills, we do not intend to help you. That is the principle of this Bill.

Mr. Fleming: Then that is discriminatory.

Hon. Mrs. Whyard: Yes, sir, it is.

Mr. Fleming: Very discriminatory.

Hon. Mrs. Whyard: It is indeed.

Mr. Fleming: Because somewhere along the line you are going to have to find more than this application here to prove that you do own and that you are in need and all the rest of it for this grant.

You just said that you did have to.

Hon. Mrs. Whyard: Mr. Chairman,—

Mr. Fleming: Because there are people who, just because they do not own, but are living with their daughter or son-in-law or wherever, and do not forget that they are supporting them, maybe, and I go along with that, fine. I would like to do that to my folks if they were here, sure.

But, they are not government, they are doing it under their own steam and their own money out of their pocket and it is no business of the government, really, at all, and no business of this Ordinance in any way to discriminate against them. They can be allowed to have that, too, without really having ownership, or should be.

Hon. Mrs. Whyard: Mr. Chairman, we have spelled out the clauses in this Ordinance so that people who are in economic need and are receiving social assistance already do not receive this grant, because they are already receiving assistance.

We have spelled out the terms of this Ordinance so that people who are in subsidized housing, and many senior citizens are in Yukon, do not receive this grant, because they do not need it.

Hon. Mrs. Whyard: We are trying to help the people who are paying their own bills with this grant, and only those people who are paying their own bills.

Mr. Berger: Yes, Mr. Chairman. I think we are going around in circles here, and I wholeheartedly agree with the Member from Hootalinqua. I think there are a number of senior citizens living in this Territory who do not own property, who still live and are in dire need of help, because for one thing they are too proud to go to the Social Welfare to apply for social assistance. They have been independent all their lives, and they do not want to go into an old folks home, so they live in an old ramshack, somewhere on the outskirts of town, some ways away so that can still stay independent the way they were used to. And those people we completely eliminate from those grants. They do not own the property. They do not pay rent. Some kindly soul says, well let that person live there. He's been living there for many years, and this has happened in Dawson City many times, but those people do not even know how to apply for those things, in most cases.

I have said so before and I say it again in this House. Why do those people need to apply? There are a million applications floating around in this Territory for grants. Why can we not see there is a need to raise the social assistance in this Territory? Everybody knows, everybody talks about it, that the money that the pensioner gets right now is not sufficient to make a living. They are existing, why can we not raise the social assistance on a legitimate basis without having to apply the million application forms. There are a lot of people whose education is very, very low. They do not know how to go about all those things. And there is nobody there to tell them either. So this is the question I ask, why do we have to go all through those things?

Ms Millard: Mr. Chairman, I can not understand why the Minister can not understand that some people who may be living in a House that they do not own, have expenses, especially the old people. And just because they do not own it, a person can own something and have no expenses, it may have been paid for 50 years ago. They are not paying for it now, but they own it. So they have the same expenses as a person who may own a little shack out the back. So their expenses are very

much the same.

I have another objection to this amendment, which has bothered me ever since I first read the Bill. In 4.1 b), it says that the person or spouse has owned or rented the principle residence for the year, in respect of which... What happens to the poor guy who rents for only eight months of the year, or something. Does this apply? Do I read it correctly? That it says he has to rent it for the whole year in which he is applying for, because that is sometimes not the case.

Hon. Mrs. Whyard: Mr. Chairman, my interpretation would be that he would have to have rented it for the minimum number of days to prove occupancy, but I could ask for an opinion from our witnesses.

Mr. O'Donoghue: I thank you, Mr. Chairman. It is just identifying the year he has lived in it. That is all. We are not being specific and legal about it, as 365 days.

Ms Millard: Mr. Chairman, I would suggest that it would more properly read "rented his residence in the year" not "for the year".

Mr. O'Donoghue; Yes, I would agree with that, Mr. Chairman.

Mr. Deputy Chairman: Any further discussion on 4?

Mrs. Watson: Mr. Chairman, it does not really address the question that Mr. Fleming brought up this morning, and again, I think that maybe if we go over it with the people that are here, the witnesses, the thing that he was concerned about. Three makes it mandatory for the Commissioner to pay a Pioneer Grant of \$300 to every applicant who qualifies.

Mrs. Watson: Right? It is mandatory. "The Commissioner shall pay". Now, to qualify: a) age of 65 years or more on the 31st day of December; b) you have to have owned or have rented his or her principal residence for the year. And this is where the problem was. If the house was owned by the wife, who was not 60 or 65, and the house is in her name, and for some very specific reasons they wanted it to stay in her name, then these people would not be eligible, this couple, to qualify to apply for and receive the Pioneer Grant. Because the person who has attained the age of 65 is the husband. The wife is 58 and the house is in her name. And that is not an unusual situation.

Mr. O'Byrne: Mr. Chairman, I believe we have dealt with that point in the amendment I have handed out, which, albeit not in the correct format, but 4.(1) (b) of the amendment does take that one specific point into consideration by stating, "have, or whose spouse is living with the applicant has, and that spouse may in fact now be any age and will now allow the applicant, despite the fact that it is his or her spouse renting or owning, now be eligible for the grant of \$300.

Mrs. Watson: But Mr. Chairman, they have to be a married couple. You could have two maiden aunts or something living together, and it is in the name of the one who does not have the — and this is the type of thing. I want to make sure that we do not block it up so that people can not receive that Pioneer Grant.

Mr. O'Byrne: Mr. Chairman, it wasn't the intention, however, that a grant be payable to every occupant in a dwelling, and if you had two maiden sisters who were both 65 years of age...

Mrs. Watson: Mr. Chairman, one of them is 65 and the other is 58...

Mr. Deputy Chairman: Mrs. Watson, please do not debate with the witness.

Mrs. Watson: No, I was just getting information Mr. Chairman.

Mr. Deputy Chairman: Just ask the questions, Mrs. Watson.

Mr. O'Byrne: I now have your point, thank you.

Mr. Fleming: Mr. Chairman, it was almost the same question, although I could do it for the daughter and son-in-law who

give the home to their folks, like to live there, and they did not own it at all as their son and daughter still own it, but they live there in residence. And I think this is where I think maybe the witness might help us clear this if I ask him, or them, if section 4 (1) (b) were taken out of this Ordinance, the context of this Ordinance to give a grant to somebody, would it change this Ordinance in any other way? Ownership or anything?

Mr. O'Byrne: Yes, Mr. Chairman, about \$500,000.

Mr. Fleming: But Mr. Chairman, I would like to...

Mr. Deputy Chairman: Order please.

Mr. Fleming: That was my question, I want to know where it would change it.

Mr. O'Byrne: Mr. Chairman, it would change it significantly in that you would have several hundred more qualified seniors.

Hon. Mrs. Whyard: Who do not need it.

Mr. Fleming: Not that I do not want to differ with the witnesses in this sense, but I do not see where it would change anything because of the fact that you, if they live in the home, and are residents there, they can apply. If you are doing this, you are discriminating against a lot of people. That was my point before, if you say "No" because they do not own that home, then you are discriminating, or you are putting through an Ordinance with the philosophy that you must own or rent a home. Now if that is the intent of this Ordinance, then fine and dandy, I will just sit down and vote against it and that is the end of it.

I am voting for something for the old age pensioners that I think they are entitled to and whether they own or just live there as a residence, that is their place of residence, it makes no difference to me whatsoever.

I think that they have got it coming and I do not think it is going to make any difference because of the fact that if you do this, you say yourself, very distinctly told me a little while ago, that the person is living there and he doesn't own it, he can go and get a dollar ownership or a transfer of deed and own it anyway.

Now, why let them go to all that problem? Why not just let them apply for the grant? Delete that section and get it out of there and you will have a grant that is worth something.

Mr. Deputy Chairman: Thank you, Mr. Fleming.

Mr. Fleming: You are welcome.

Mr. Deputy Chairman: Mr. O'Donoghue, do you wish to clarify a point?

Mr. O'Donoghue: Yes, Mr. Chairman. I had something to do with some of these drafts, on the line-up, and we had originally got, in section 3, a grant for the purpose of paying the utilities of a residence, or words to that effect. A purpose was in there.

There was a policy directive that a grant was to be so organized that it would enable a person to recoup utilities he himself had paid for. We could not think of a formula to deal with that specific thing, what utilities were we talking about and had a lot of debate about it.

Eventually, we came up with a person who is responsible for the residence, who either owns it or rents it from somebody else, is, in fact, the person who pays the bill and the grant is for the purpose of enabling a person of a certain age to pay the utility bills.

So, it is really a formula, in a sense, that the words "owned or rented", to describe a person who, in addition to paying those bills, would normally be stuck for the cost of utilities, either a separate bill or as part of his rent.

That is how it came about.

Mr. Deputy Chairman: Thank you, Mr. O'Donoghue.

Hon. Mrs. Whyard: If I could add a word to that particular portion. There were two reasons for excluding the words

"utilities grant" from this Ordinance.

One was that we were told that there was no way we could call it the utilities rebate or grant because we do not receive payment for utilities. You can give a homeowner's grant and rebate taxes because this Government receives those taxes and can therefore return a portion of them.

But I am not paid the utilities bills by senior citizens, nor is my department, therefore we cannot return a portion of their utilities costs.

That was one reason that was pointed out to us.

The other thing was that the Federal Government looks with great disfavour upon anything which encourages people to use more electrical energy and if you saying you are giving people a utilities grant which therefore theoretically encourages them to use more power, they take a very, very dim view. That is a political fact of life, Mr. Chairman, and I am admitting to it freely today.

For various reasons, also because people use different kinds of utilities, they use power, they use oil, they use wood, we removed the word "utilities" and made it a Pioneer Grant. But the main basis still remains. These are people who are paying bills to stay in their own principal place of residence and we are trying to help them pay those bills.

And therefore we ask that they either live in a house they own or accommodation that they rent. Otherwise, Mr. Chairman, I am afraid you are getting into a universal grant to everyone over 65 of \$300 a year, and I cannot endorse such a universal grant because there are many people who do not need it.

Ms Millard: Mr. Chairman, ever since Mr. O'Byrne mentioned that it is going to cost another half a million dollars if we eliminated rented or owned, I have been trying to figure out just how many people are involved and where do you get the statistics. I would really like to know more about that. How he can come to the conclusion that it would cost that much more, because I cannot think of—because 8.(1) eliminates anybody who is being subsidized already in any kind of nursing care or anything else.

I do not know anybody who is not renting, owning or living in a senior citizens' home, except people who are living in a place that they are allowed to live in and who are still paying utilities. I do not know what other description there is and it just does not include \$500,000 worth.

Mr. Deputy Chairman: Mr. O'Byrne, do you wish to comment on that?

Mr. O'Byrne: Mr. Chairman, the original paper that came into the House suggested approximately 300 seniors would qualify, under the basis of the Ordinance as you are now reading, which would be approximately \$90,000.

We have no set figure today as to how many more would qualify if you took out the renting and/or owning clause, but there is 10 per cent of the population that are senior citizens, at 300, we are talking about a very small percentage of that, but there are a number of people, seniors, who are in other accommodations other than senior citizens' homes and other than social assistance.

It is, simply, a guesstimate.

Hon. Mrs. Whyard: Mr. Chairman, could I ask if the Honourable Members who are having troubles with this requirement would give us a practical suggestion of the people they are thinking of. What cases can you bring to us of people who are paying their own utilities and costs of living in a home or an apartment who are not either renting or owning?

Ms Millard: Homebrew Pete on Bonanza. He leases, he has staked a claim. He does not really own the house because he cannot. He built himself a log cabin and he is paying utilities. He is having to—

Hon. Mrs. Whyard: Well, if he built it, he owns it.

Ms Millard: Well, anyway, we should not even be discussing personal cases like that, but I am certain that if I went through my list of old age pensioners in Dawson, that there would be a number of them and they are ones that have devoted a lot to the Territory who have gotten very little in return and they are not being a drain on our welfare rolls or anything else, and they certainly deserve to get it.

It seems to me that we are fighting something really, that, unless it can be proven to me, and it has not yet, that it is going to cost us \$500,000, as Mr. O'Byrne, and I cannot see how it can because we are going from \$90,000 to \$500,000 by adding a few dozen at the most, more pensioners, it does not make sense to me.

I would like to see it down in black and white how much it is going to cost us and certainly we can guesstimate that a little easier. \$500,000 does not really seem to—

Mr. Fleming: Mr. Chairman, you want an example of something that is going to happen in this Ordinance, I will give it to you now and I will not vote for this Ordinance and I do not intend to vote for it if what the Minister is saying and if what the witnesses are telling me is true, because you have just left a real nice set up for somebody who owns something and has a million dollars to apply for that and no problem whatsoever and he gets \$300 a year, whereas an elderly person staying with their daughter or their son-in-law, who really does not want to get involved in government and everything, but are paying the bill and, possibly, have hardly a nickel to live on, is not going to be eligible for this grant.

Those three people living together can be very, very poor and that person can really need this grant, possibly more than the people that own their own home and are living there somewhere.

Due to what I have been told, they will not be eligible for this grant? I cannot vote for a grant like that. You just told me that a minute ago.

Mr. Berger: Yes, Mr. Chairman, I am just wondering why we have to have ownership or rental in the legislation. There is nothing on the application form. There is absolutely nothing stating that he has to be the owner or renter of the place so I do not know what we have to have it in the Ordinance.

If we would eliminate ownership or rental and say he lived in the principal residence, I think it would accommodate the same thing.

Hon. Mr. Lang: Mr. Chairman, I just have one comment to make and it just seems like we are going around and around and the point is we are trying to get a program underway recognizing the older people of the Territory, with respect to the contribution they made to the Territory, those who are owning their own home or renting and to open up an avenue that is going to help these people remain independent.

I do not understand, Mr. Chairman. I realize you can bring out various circumstances how this could be affected or may not be affected, but my point is that if you go with the program the way it is, this is not cast in stone. I am sure that if specific instances are brought up to the Government or the Minister of the day that they would be more than happy to bring in the necessary amendments to the legislation.

It is a new program and you have got to see how it works. There are obviously going to be kinks and changes have to be made.

The easiest thing my colleague could have done was to just go with a policy paper and have a line item in the budget and just go by regulation. She has come—

Hon. Mrs. Whyard: I wish I had

Hon. Mr. Lang: She has come out here trying to come up with legislation which, believe me, is very difficult to draft, which is quite obvious from the discussion that is going on here, and trying to enshrine it in legislation so that there is a law in

pect to the authorization of these monies, which was requested in the last Session.

My point is, Mr. Chairman, is that I think, overall, I think we should go with the legislation the way it is. Let it go for a year and see how it works. If it has to be amended, I am sure that whoever is the Minister of the day, he would be more than prepared to come in and amend the legislation.

Mrs. Watson: Mr. Chairman, I really was not allowed to get an answer before and I am concerned about the people who are living together, occupying a common household, two or three, whatever the number, only one of them is old enough to qualify for the Pioneer Grant and that person is not the person who actually owns or has the lease for the rental of the principal residence.

Can we put something in there to provide for them? I believe the intent of the bill is to provide for them.

Mr. Deputy Chairman: Are you asking a question to the witnesses, Mrs. Watson.

Mrs. Watson: Yes, I asked him if he could put something in there.

Mr. O'Donoghue: It is a very, very different concept to draft for, because what you are effectively saying is that a person who lives in a particular accommodation, who shares that accommodation with a non-qualified person, any unqualified person, related to them or not related to them, and that unqualified person happens to be responsible for the utilities, the mere having of the old person in the accommodation qualifies all the rest for a grant.

It is not a white elephant concept, but it is like they will be fighting over the old people to move them around to --

Mrs. Watson: I know.

Mr. O'Donoghue: It could be an exaggeration.

This is not the intention. It is the person responsible for the Bill gets a grant if he is qualified. That is the intent.

Exceptions have been made. Mr. Fleming made the point that, occasionally, for business reasons or testity, in intestine reasons a person may have the house or the accommodation in his wife's name and the wife is underage for a period, then you make an exception. We are willing to draft that easily by just putting the thing in in brackets.

But it changes the whole concept of the Bill to say any person is entitled to a grant who has an old person living with them.

That is the easy way to draft it.

Ms Millard: I wonder if maybe an age limit would help in that case, perhaps 55 or 58 or something like that so that the owner of the place, although they are not yet 65, are still, you know, you would have to, otherwise a person of 25 who is going out and earning \$30,000 could be getting the grant.

I have come back many times in this whole debate to what Mrs. Watson said about it not being a utilities grant. It really, essentially, is not. We are trying to define it as one, but we are not doing it. We actually are giving a universal grant so why should we even. We should just stick it to an old age pensioner and let it be at that, even if we have to reduce it to \$250 a month.

Why do we not just give them, every old age pensioner in Yukon, another \$250 a year, I mean.

It would probably solve a lot of these problems and in that way we are reaching everyone of them, whether they own or rent or anything else.

Certainly any old age pensioner can use that extra. \$25 a month is all we are giving them.

Hon. Mr. McKinnon: Mr. Chairman, you know, if the exception that the Honourable Member from Hootalinqua, the Honourable Member from Kluane and the Honourable Member from Ogilvie says are in the category of a dozen or so, that is great. I think that is what the Honourable Member said and if we remove Section 4.(1)(b) and there is only, well,

probably more than a dozen, but 50 people apply because of the elimination of that and it takes care of all of those particular exemptions that we are trying to draft specific legislation for, which is impossible, good. I think that the finances of the Territory can get into that category and allow that to happen because you are only talking about \$15,000 extra dollars or that category.

If, as Mr. O'Byrne says, it is several hundreds of people and you are getting into the category, Mr. Chairman, of people who do not need it and you would have a problem with the old age pensioners, the old age pensioner who is independent, proud of himself or herself of taking care of himself and their own home and then having it universal from an old age pensioner who is living with daughters or sons that can really afford it and are living in a pretty magnificent place, that old age pensioner gets the \$300 anyway, who does not need it.

I am telling you, I hear from the old age pensioner, how come so and so gets it when he does not deserve it and I am the guy that really needs the house and they do not need it at all. It is nothing to them. You do get that reaction, as the Honourable Member knows, as a social worker, from the independent old age pensioner.

So, if there was some way of knowing the number—. One says maybe there is only a dozen or 50, fine. Mr. O'Byrne says 200. How do we come to that number if we eliminated that section or had some basis of not making it a total universal program for those people who do not really need the assistance and other old age pensioners who, in fact would not look with acceptance on certain categories of old age pensioners receiving the assistance who did not need it.

How you write that into legislation, all those specific ones by just eliminating the section, not having an "open Sesame", where several hundred more people who do not need it, apply, is difficult.

I do not know the answer to it. If it was only 25 to 50, I would have no problem at all of accepting that concept of eliminating 4.(1)(b). If someone can do that exercise for me it would really assist me.

Hon. Mrs. Whyard: Mr. Chairman, could I ask Members of Committee for their indulgence in letting us look again at this section overnight and proceed to the other areas and see if there are any other problems to be dealt with at the same time, so that we can come back with something a little more helpful.

I realize that it is getting very late in the day and I would like to finish reading, if we could, Mr. Chairman, the other portions of the Ordinance so that we are all clear as to what the problems are.

Mr. Deputy Chairman: Committee agree?

Ms Millard: Yes, Mr. Chairman, just before we pass on, though, it occurs to me that the research that was done for the "Beyond 60", where each old age pensioner was visited in the Territory, someone must have a general knowledge of how many people would be involved.

I agree with the Minister of Local Government that if it is only, say under 50 people, we should go ahead and just—

Hon. Mrs. Whyard: That is what I want to do overnight, Mr. Chairman.

Mr. Deputy Chairman: Mrs. Whyard, are you proposing that you look at the whole group of amendments which was put forward today, or do you wish us to continue with these other amendments, not dealing with section 4?

Hon. Mrs. Whyard: Mr. Chairman, I think Section 4 is the one that is giving us most problems and if we could please clear whatever else we can today.

Mr. Deputy Chairman: Do you wish then to proceed to Clause 5.(1)?

Hon. Mrs. Whyard: Yes, please, Mr. Chairman.

Mr. Deputy Chairman: Committee agree.

Some Members: Agreed.

Mr. Fleming: Yes, Mr. Chairman, I agree, however, I just have one comment to make before we go, because of what the Minister said a moment again when he said that they did not really wish to make it a universal program, but if they will take care tonight and check their wording in 4, they will find that they have made it a universal program, in the sense that you can get a certificate or a piece of paper saying that you rented something which you have not and it will be a universal program, anyway, so prepare yourself to make it one. Delete Section 4 and forget it.

Mr. Deputy Chairman: I would like to draw the attention to Mrs. Whyard, Clause 5.(1) was carried and you would need unanimous consent of Committee to reopen Clause 5. Clause 5 was carried.

If you are seeking unanimous consent of Committee, so wish.

Mr. O'Donoghue: The reason we changed Section 5.(1) is because of another section, the deadline of the year and the qualification for the wintertime would hit December 31st. So we just added that to change the extension of the application to the 31st of January. That is the prime reason why Section 5 is changed.

Mr. Deputy Chairman: Any amendment to a clause already carried, Mr. O'Donoghue, has to receive unanimous consent of Committee to reopen a clause already carried, in order to amend it.

Mr. O'Donoghue: I did not think of that, Mr. Chairman.

Some Members: Agreed.

Mr. Deputy Chairman: Is it the unanimous consent of Committee?

Hon. Mrs. Whyard: Are we on 6.(1).

Mr. Deputy Chairman: We are on 5.(1)

Hon. Mrs. Whyard: I did not ask him to.

Mr. Deputy Chairman: The difference being in the proposed amendment, put forward by Mrs. Whyard, was seemingly a typo error. It looks like the month of the year has been changed, from December to January.

Mrs. Watson: May we have the witnesses give us an explanation of it again?

Mr. O'Byrne: Mr. Chairman, the amendment, and I hate to bring it up again, 4.(1)(c) accommodates a request to be looked at, which necessitated a change in 5.(1).

Mrs. Watson: Right.

Mr. Deputy Chairman: Very well. By looking at it in that light, then 5.(1) would have to be stood over in order for it to be co-ordinated with the objectivity in 4.(1). Is that correct?

Mr. O'Byrne: That is correct.

Mr. Deputy Chairman: With Committee's concurrence we would stand over 5.1. Agreed? We will now proceed to 6.(1).

Before we go any further, does this interrelate to the previous two sections we have just dealt with?

Mr. O'Donoghue: No, Mr. Chairman, it is just the word Pioneer is inserted. Attention was called to it during the debate.

Mr. Deputy Chairman: I am surprised that Mrs. Whyard did not draw that to our attention as being a typographical error.

Hon. Mrs. Whyard: Mr. Chairman, I asked if we were on 6.(1). I wish to speak to 6.(1). You said no. I would like to speak to 6.(1), Mr. Chairman.

Mr. Deputy Chairman: Proceed.

On Clause 6

Hon. Mrs. Whyard: Mr. Chairman, we have added the word Pioneer at the request of the Honourable Member who

brought up the subject earlier today, and we have now put it in. Thank you, Mr. Chairman.

Mr. Deputy Chairman: Very well. The amendment is 6.(1) and reads: "An applicant who is qualified to receive a pioneer grant pursuant to this Ordinance shall not be eligible to receive more than one pioneer grant in any one year," which replaces the present 6.(1). Any further discussion to the proposed amendment? Shall the amendment carry?

Amendment agreed to

Mr. Deputy Chairman: Shall the clause carry as amended?

Clause 6 agreed to

On Clause 7

Mr. Deputy Chairman: Clause 7.(1). Shall the clause carry?

Clause 7 agreed to

On Clause 8

Mr. Deputy Chairman: Clause 8.(1).

On Clause 8

Hon. Mrs. Whyard: Mr. Chairman, I think this is pretty self-evident. We are trying to protect the rights of homeowners, grants to homeowners, and any benefits that the normal occupant of the residence receives. It is not our desire to make them give those up, in order to get this small grant, but we are still trying to screen out those who are in subsidized housing programs. We have added (2) to section 8 so that there would be no doubts whatsoever that this is going to effect your Canada Pension or your standard forms of income.

Mr. Deputy Chairman: Any further discussion? Shall the clause carry?

Ms Millard: Mr. Chairman, when we were discussing the White Paper, it was brought up that there might be a possibility that a guaranteed income supplement may be effected by the Pioneer Grant itself. Has that been investigated and are we assured that they will still receive general grants and things that are available now with even having received the Pioneer Grant?

Mr. O'Donoghue: Mr. Chairman, we could not think of all the things that were necessary, so we put a clause in the regulations to pick up anything that might have been overlooked in case that very thing occurred.

Mrs. Watson: Mr. Chairman, we are still on 8, or have we gone on to 9?

Mr. Deputy Chairman: We are on 8.(1) and (2).

Mrs. Watson: My question was with 9.

Mr. Deputy Chairman: Shall the clause carry?

Clause 8 agreed to

On Clause 9

Mrs. Watson: Mr. Chairman, I am concerned with (b). We are giving the Commissioner a regulation making power specifying—. This is giving him the right to ask the applicant to specify any information which may be required in respect to the application. So there would be no stopping a regulation to change the whole spirit of the Bill, by asking for a personal statement on their financial condition, or how much money they are paying for utilities, and there is no provision in the Bill. There is no stipulation like this in the Bill. The spirit does not convey this.

So, we are saying specifying any information, completely and absolutely wide open.

Hon. Mrs. Whyard: Mr. Chairman, the wording is "any information in respect of the application." If you will look at the application form, that is the information we are referring to, and only that information. We do not say on that form, "what is your income?". This information here is left to the discretion of the Director, to accept. If it is obvious that someone is deliberately trying to get this grant and they should not be, then this gives the director authority to ask for proof of anything they

ve declared on this form. That is my understanding. Is that correct, Mr. O'Byrne?

Mr. O'Byrne: That is correct, Mr. Chairman.

Ms Millard: Mr. Chairman, I still feel funny about the guaranteed income supplement, because the Commissioner can not make regulations dealing with Federal legislation, and I have not been assured that the guaranteed income supplement for one example, would not be effected by accepting a Territorial grant. I am still not certain of that. Also, I am wondering why there is not a coming into effect clause at the bottom.

Hon. Mrs. Whyard: Mr. Chairman, this is a fair question. The coming into effect clause may or may not be included and the assumption is that if there is not one, it comes into effect on the day of assent, if I am correct in that assumption.

Mr. O'Donoghue: That is correct.

Hon. Mrs. Whyard: As far as the endangering of some universal pensioner grant goes, Mr. Chairman, I have to say again that the Homeowners Grant does not endanger them. None of these things do. Your rebate from the city does not endanger them. They are considered income for income tax purposes, if you want to look at it that way, but I was assured by the City, when we enquired of them prior to getting into this Ordinance, that as far they know, but nobody is ever going to go to court to prove that an old age pensioner got \$185 back from the City as income.

Mr. Fleming: I have the same reservations on (b) as the Member from Kluane, and the answer that I got was not satisfactory, because I do not think that the Pioneer Grant application form is a part of the Ordinance. That would be a regulation, and therefore that could be changed at any time and could read in any manner that the Commissioner wished to do so and get information that he wished to do so.

Mr. O'Donoghue: Mr. Chairman, it is true that it can be changed, because there is an inclination in the Civil Service against making the forms too difficult to handle. I think the Members may have specimen forms. What they are looking for is the name and the address and so forth, but it must be required in respect of the application. It must deal with the application, that information.

Mrs. Watson: Mr. Chairman, that is very true, because as the Minister said, we must have the ability of the Director to ask for proof of some of the statements. We have already given him the right to do that in 5.(2). So I am concerned about information that government requires from people when they make an application for something. We get quite a reaction from people on this, and sometimes too much information is required, and we delve into people's private lives. This is the type of thing that I am afraid of, and we are leaving it wide open.

By regulation, you can specify any information which they may require for the application. Who knows what they think or they would like to have clarified for the application? It might be something that is completely contrary to what we intended the legislation to be and completely ruffles the people who were supposed to be receiving the grant.

It would be most unfortunate to have a good program, the intent of the program is very good, followed by paperwork and too much detail and too much information being required by the Government.

To leave it open like that, that is pretty open.

Hon. Mrs. Whyard: Would Members agree that there is no requirement for regulations then and we eliminate Section 9 entirely and simply have a form and an Ordinance? No regulation-making power attached to this Ordinance?

Deputy Chairman: Is that the wishes of Committee?

Mr. O'Donoghue: If, in paragraph (a) of Section 9.(1), it ran, "subscribing the form and manner of completing and verifying any application", then that really would eliminate (b) altogether.

Paragraph (b) is not necessary if the information supplied on the form and is capable of being verified. The schedule is necessary because if programs come into existence which must be made exceptions to, they have got to have power to say that program does not disqualify an applicant from getting his grant.

So, (c) is necessary, but if you put in the verifying something in (a), (b) is not necessary.

Hon. Mrs. Whyard: Mr. Chairman, we could eliminate subsection (b) if that is the wish of Committee.

Mr. Deputy Chairman: I think before a decision is made by Committee, I think we should allow the Minister, perhaps, the opportunity to look at this overnight, along with the other clauses that are stood over at this point in time, before that decision is taken, with concurrence of Committee.

Some Members: Agreed.

Mr. Deputy Chairman: I will entertain a motion at this time.

Mr. Fleming: I would move that Mr. Speaker do now resume the Chair.

Ms Millard: I second it.

Mr. Deputy Chairman: It has been moved by Mr. Fleming, seconded by Ms Millard, that Mr. Speaker do now resume he Chair.

the Chair.

Motion agreed to

Mr. Deputy Chairman: Thank you Mr. O'Donoghue and Mr. O'Byrne.

Mr. Speaker resumes Chair

Mr. Speaker: May we have a report from the Chairman of Committees?

Mr. McCall: Thank you, Mr. Speaker. Mr. Speaker, the Committee of the Whole considered Bill Number 18, *Pioneer Grant Ordinance* and has instructed me to report progress on the same.

Further, Committee considered Private Member's Bill Number 102 and directed me to report same with amendments, and Committee asked 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. May I have your further pleasure.

Mr. Fleming: I move we call it 5 o'clock, Mr. Speaker.

Ms Millard: I seconded that, Mr. Speaker.

Mr. Speaker: It has been moved by the Honourable Member from Hootalinqua, seconded by the Honourable Member from Ogilvie, that we do now call it 5 o'clock. Are you prepared for the question?

Motion agreed to

Mr. Speaker: This house now stands adjourned until 10 a.m. tomorrow.

Adjourned

The following Sessional Papers were Tabled on June 27, 1978

79-1-48

Annual Report of the Transport Public Utilities Board for year ending March 31, 1978

78-1-49

A Report on Health Conditions in the Yukon 1977

78-1-50

Brief Re the Green Paper on Proposals for a Motor Transport Ordinance

