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HANSARD

Wednesday, March 7, 1979

Speaker: The Honourable Donald Taylor

ERRATA

First Session of the Twenty-Fourth Legislature, Volume 2, December 14, 1978:

Page 8 - Paragraph 7 - line 8: "violent" should read "violated".

Page 8 - Paragraph 10 - line 3: "their" should read "our".

Whitehorse, Yukon
Wednesday, March 7, 1979

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

We will proceed at this time with Prayers.

(Prayers)

Mr. Speaker: Before proceeding this morning, I am indeed pleased to introduce to the House, sitting at the table, Missy Parnell, who will now serve the House as an Assistant Clerk.

Mr. Penikett: Mr. Speaker, with regret, I rise on a question of privilege.

My grievance concerns an apparent abuse of my rights as a member of this body, the rights of all opposition members and, by extension, the privileges of all Members of this Assembly.

This House will shortly be considering a major revision of its rules in the form of a report from the Standing Committee on Rules, Elections and Privileges. The Committee was appointed by the Legislature in December and met for the first time on the 15th of that month.

We met again on January 9th of this year and concluded a thorough review of the Standing Orders. All members of the Committee were present and, from time to time, other MLA's, including the Leader of the Opposition, sat in on the proceedings.

Mr. Speaker, formal party politics are new to this House and the Opposition Members made a number of constructive suggestions to improve the workings of this Legislature, divided as it is on party lines. Our proposals were made in good faith without partisan motives and, to the credit of the whole Committee, many of them are accepted. However, the Conservative Members of the Committee wished to discuss these recommendations with their caucus, so the Opposition members had no objection to postponing further discussion until the majority had scrutinized their work. No date was set for another meeting of the Committee and we awaited the call from the Chair.

I had planned a short holiday before this, so after calling the Majority Leader's office to confirm that no sitting was imminent, I contacted the Honourable Minister of Education, who was chairman of the Committee in question, and we agreed that because this House was not to be called for several weeks and there was no urgency about the Committee meeting again. Mr. Speaker, the Honourable Member then gave me his assurance that another meeting of the Committee would not be called until February and that I should notify him upon my return so that another meeting date could be arranged.

Mr. Speaker, I was grateful for the Member's courtesy and left for my vacation in good conscience.

Upon my return I was shocked to learn that the Standing Committee on Rules, Elections and Privileges, in total contravention to my agreement with the Chairman, met on January 31st, while the Honourable Member knew one of the opposition people could not attend.

At that meeting, Mr. Speaker, almost every one of the opposition proposals that had been accepted by the Committee on January 9th were rescinded. In every case, the weight of the Majority at the meeting, called in violation of the chairman's word, was used to remove every proposal that would have enhanced the ability of this Loyal Opposition to effectively perform its duties according to the best parliamentary traditions.

Mr. Speaker, I believe the Honourable Member for Porter Creek West to be a fair-minded man and I really do not know why he betrayed our trust. I cannot be sure about the rest of his caucus. The Leader of the Opposition was present on January 31st and tells me that some Conservative members simply could not disguise their glee in shafting the opposition while one of its members was absent with leave of the chairman.

Mr. Speaker, all members of this House have been provided with a copy of the latest edition of Beauchesne's Parliamentary Rules and Terms, but obviously some members have not yet read it. Mr. Speaker, as you know, the very first words in the first paragraph of the first page read, and I quote: "The principles that lie at the basis of English parliamentary law have always been kept steadily in view by the Canadian Parliament: these are: To protect a minority and restrain the improvidence and tyranny of a majority..." This sentence concludes with the words: "and to prevent any legislative action being taken on sudden impulse."

Mr. Speaker, our Standing Orders are the very foundation of our rights as members of this House and improperly executed changes to those rules are an abuse of those rights. I submit, Mr. Speaker,

that the January 31st meeting of the Standing Committee on Rules, Elections and Privileges was a case of tyranny of the Majority. That my privileges should be offended by the chairman of the very committee responsible for overseeing these rights is plainly an outrage.

A measure of trust and good faith is essential to the expeditious conduct of our business. Betrayal of that trust so early in the life of this Assembly is a very serious matter.

Mr. Speaker, I came here to question and debate the Government on behalf of my constituency and my party. I am not here to precipitate fractious disputes, but I and my opposition colleagues have had our rights undermined and it would be a sad day for this House if this were to go unchallenged.

Therefore, Mr. Speaker, if you find I have a prima facie case of privilege, I would move, seconded by the Honourable Member from Whitehorse Riverdale South, that this matter be referred to the Standing Committee on Rules, Elections and Privileges.

Thank you, Mr. Speaker.

Mr. Speaker: Order please.

I would thank the Honourable Member for providing the Chair with notice of the Question of Privilege he has just now raised.

In determining whether there is a prima facie case of privilege, the Chair certainly must follow the parliamentary practices and traditions of this Assembly and in particular of the House of Commons. Two main points must be made in this particular case, first it is a common rule that Committees of the House are responsible for governing their own proceedings. Committee business, becomes business of the House only upon report from a committee. In this connection I would cite annotation 607(2) of the Fifth Edition of Beauchesne which states, I quote "There is no appeal to the House from the Chairman's ruling, except by way of a report from the committee." Further annotation 608 states, "Procedural difficulties which arise in committees ought to be settled in the committee and not in the House."

The second major point to be made is that informal agreements between Members are not a matter for consideration by the Chair. For example, a common practice in the House of Commons is that of pairing, which amounts to agreement between members of opposite sides of the House to be absent at a particular time. Should a member break a pairing agreement or appear in the House to speak or vote, it is clear that the Speaker will entertain no complaints about such action.

The complaint of the Member for Whitehorse West does indeed fall into this class and I must therefore rule that the Member has not made a prima facie case of privilege.

May we now proceed under Routine Proceedings?

ROUTINE PROCEEDINGS

Mr. Penikett: Mr. Speaker, I rise under the provisions of Standing Order 35 on a matter of urgent and pressing necessity.

Considering that on December 14, this House unanimously resolved that a Session of the Legislature be called as soon as possible for the purpose of amending the Taxation Ordinance and fundamental inequities between the tax load on land and property owners continues to exist and that no special Session has been called for the purposes of amending the Taxation Ordinance, I move, seconded by the Honourable Member for Faro, that this government immediately introduce amendments to the Taxation Ordinance with the view to correcting the injustices created by the recent tax assessment done by the Territorial Government.

Mr. Speaker: The introduction of such a motion at this time can only be done with the unanimous consent of the House. Is there unanimous consent?

Some Members: No.

Mr. Speaker: There is no unanimous consent.

TABLING OF DOCUMENTS

Hon. Mr. Pearson: Mr. Speaker I have for tabling today, pursuant to various statutes, the following reports: Yukon Public Service Staff Relations Board Report; The Worker's Compensation Board Report; Commissioner's Annual Report; The Annual Report of the Yukon Liquor Corporation; The Territorial Accounts for 1977-78.

Also, Mr. Speaker, I have for tabling, the Letter of Instruction to the Commissioner from the Honourable Hugh Faulkner.

Mr. Speaker: From the Chair, by virtue of the Yukon Act, I have the honour of tabling today, the Report of the Auditor General for the Fiscal Year 1977-78.

Are there any further documents for tabling? Reports of Com-

mittee?

Petitions?

Introduction of Bills?

Are there any Notices of Motion for the Production of Papers?

Notices of Motion?

Are there any Statements by Ministers?

MINISTERIAL STATEMENTS

Hon. Mr. Pearson: I would like to apologize to Members of this Assembly for the confusion which has arisen as a result of a statement issued March 5th from my office.

In that statement I indicated that the decision to have the Minister of Health and Human Resources resume his duties, was based on information acquired in conversations with the RCMP. That was not correct.

It is a matter of record that the RCMP wrote the Commissioner to advise her of the status of the investigation into certain allegations made against the Member from Old Crow.

My conclusions and my decision were based on conversations with the Commissioner and on the information in that letter.

A month long police investigation has failed to produce evidence on which charges could be laid. Since the file has not been closed, it is reasonable for the police to be unable to make a definitive statement on the future disposition of this case. It is just as reasonable that I could not let a valued member of this government sit in limbo awaiting the unknown.

Mr. Njootli, committed a selfless act by stepping aside from his duties for a reasonable period of time while the investigation proceeded.

It was my judgment that the reasonable period has elapsed and he must be allowed to get on with his job.

I make no apology for that decision. I do wish to make it clear, however, that my press statement of March 5th did not intend to convey that I had information other than that officially transmitted to the Commissioner or that the judgment as to the probable disposition of this case was any other than my own.

Thank you.

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

This then brings us to the Question Period. Are there any questions?

QUESTION PERIOD

Question re: COPE Agreement

Hon. Mr. MacKay: Mr. Speaker, I have a question for the Government Leader. At a policy convention that his Party held in September, 1978, it was resolved that the would request the Executive Committee to consider contesting the COPE Agreement, The Committee for Original People's Entitlements land claim, in the courts.

Considering that some six months have now elapsed since that time, and we have had the Executive Committee in place for some three months, will the Government Leader now assure us that it is not their intention to pursue this agreement in the courts?

Hon. Mr. Pearson: No, Mr. Speaker, the resolution said that the COPE claim would be pursued in the courts if it was gone ahead with in its present form. We have every indication that in fact the agreement in principle will be changed considerably during the course of negotiations, during the course of this coming year. There has been a year set aside to come up with an agreement. This was simply the agreement in principle. Meetings are being held actively, now, in respect to this matter.

Question re: Labour Standards Committee Report

Mr. Byblow: Mr. Speaker, I have a question for the House Leader. Has there been, or will there be, a tabling in this House of any report by the Labour Standards Review Committee, struck by the last House, and, if so, when can we expect a report?

Hon. Mr. Pearson: Mr. Speaker, I have written to the former members of that Committee, asking them to please forward their reports to us. The former members of the committee, of course, I do not believe had a chance to meet formally and come to joint conclusions, nor did they have a chance to report to the Legislature prior to it being dissolved, but I have asked them to submit to me their own personal reports.

Question re: Yukon Railway Task Force Report

Mr. Penikett: Mr. Speaker, I have a question for the Minister responsible for Economic Development. Has the Minister reviewed the Report of the Yukon Railway Task Force, particularly

Chapter 6, which was not included in the version released to the public, with the view to recommending a stand by the Yukon Government on the question of public funds being invested in the White Pass and Yukon Railway?

Hon. Mr. Tracey: Mr. Speaker, I have reviewed the Task Force Report. As far as recommending money to support the railroad, we have not reached any conclusion on that yet.

Mr. Penikett: Mr. Speaker, as the Minister knows, the Task Force expressed concern over several aspects of company policy which could have contributed to its financial difficulties. These included dividend payments, inventory maintenance, marketing strategy and relations with its corporate parent.

Has the Minister examined the financial information which caused this concern and discussed these concerns with the Minister of Indian and Northern Affairs, who commissioned the report?

Hon. Mr. Tracey: Mr. Speaker, I have reviewed the report, as I stated earlier, and we have reviewed the financial situation as was outlined by the Honourable Member. We will be meeting with White Pass in the near future in Vancouver and, at that time, we will get some more information from, not only White Pass, but from the Federal Government. Until that time, we are not prepared to make any statement.

Mr. Penikett: Mr. Speaker, prior to that meeting, would the Minister investigate reports that a disturbingly low percentage of the railway's assets are now financed by debt and an unusually large percentage of its earnings have been distributed to shareholders and that the White Pass recently lent its parent company, Federal Industries, a sum amounting to almost two million dollars?

Hon. Mr. Tracey: Mr. Speaker, yes, we will look into that.

Question re: Electrical Rate Equalization

Mr. Fleming: Yes, Mr. Speaker, I have a question for, I suppose, the House Leader and, if that is not the right person, due to the hopping in and out of offices and so forth and so on, I am not quite acquainted with where everybody is at.

In the last Session, there was a motion passed in this House that the Government of that time check into power equalization in the Yukon Territory. I am wondering if this present government, since they have been in power, has looked into that situation and have they anything to report?

Hon. Mr. Pearson: Yes, Mr. Speaker, we are in the process now of, in fact, negotiations with the Federal Government in respect to what can be done to come up with what is hoped will be an equitable subsidization or equalization of electrical rates throughout the Yukon Territory.

Mr. Fleming: Further to that, Mr. Speaker, at that time, I think that Teslin was the only one that had a valid franchise in the Yukon Territory, I am quite sure that I am correct, have there been any franchises, since the last Council sitting, signed with Yukon Electric?

Hon. Mr. Pearson: No, Mr. Speaker.

Mr. Penikett: Supplementary, Mr. Speaker. A supplementary to the Government House Leader, on the same subject, Mr. Speaker.

Franchise negotiations between the City of Whitehorse and Yukon Electrical have broken down because the company refuses to ensure that excessive profits are not made on the Whitehorse portion of the electrical system. Will the Government of Yukon be taking steps to ensure that the company complies with the requirements in the Electrical Public Utilities Ordinance that a franchise be held in this City?

Hon. Mr. Pearson: Mr. Speaker, we are sort of between a rock and a hard spot on this problem. The Legislation says that there shall be a franchise; however, it does not go on to say how a franchise will be entered into should one or both of the parties not wish to sign one.

We are hopeful that we can be catalyst. We have offered both the utility company and the City, the officers of the Commissioner to facilitate the negotiations, I think this what they are called, in respect to this agreement.

I hope this answers the question.

Mr. Penikett: Will the Government House Leader give his assurance that Yukon Electrical will not be allowed to force Whitehorse consumers to subsidize rural consumers without the consent of either the Territorial or the City governments?

Hon. Mr. Pearson: Mr. Speaker, we have an Electrical Public Utilities Board that is established by Legislation passed in this House. That board is, in fact, autonomous. It sets the rates in the Territory. We have nothing to do with the rates.

Question re: Ross River Foot Bridge

Mr. Fleming: Yes Mr. Speaker, a question to the Minister of Municipal and Community Affairs, regarding the Ross River foot bridge. Sometime ago I wrote to the Minister and I received a letter from him and one of the quotes in it is, "However, it is the government's intention to assist the Ross River Community Club and Indian Band and to obtain funds from a variety of programs."

I did not quite get what that assistance would be. I wonder if the Minister could clarify really what that assistance might be or if anything has happened since that time has elapsed, or if they are intending to do anything for us?

Hon. Mr. Lang: Mr. Speaker, in respect to the Ross River Bridge, the Local Government advisor has been working very closely with the Ross River Indian Band and the Community Club to prepare an application for a Canada Works assistance if application forms are put forward. The application forms apparently are not available until early April, but it is our position that officials in my government will continue to work with the Community Club and the Indian Band in Ross River to see whether or not monies can be forth coming through those Federal programs to fixup the walk bridge.

Mr. Fleming: Supplementary, Mr. Speaker. Due to the fact that the Minister has offered some assistance and so forth, I wonder if the Minister could inform me as to whether he knows who actually owns the bridge, or is he saying to us we will help you and you can go and get funds here there and everywhere, but, as far as I could find out, nobody seems to know the exact ownership. Could he divulge the exact ownership of that bridge here today?

Hon. Mr. Lang: Mr. Speaker, we are trying to find out who actually does own the bridge. There is confusion in this area and, once I find out, I will bring back the necessary information.

Incidentally, Mr. Speaker, I was not around here when they built it so I will probably have to go to the Archives.

Question re: School enrolment.

Hon. Mr. MacKay: I have a question for the Minister of Education. The Standing Report on future school enrolments was completed last fall, with respect to the future needs for schools in the Whitehorse area. It is a clearly a document of public interest. Will the Minister of Education tell us when he plans to table this Report?

Hon. Mr. Graham: As the Honourable Leader of the Opposition stated, this Report is a public document, or it is available to the public and, if the Member so wishes, I will be happy to table this Report at tomorrow's Session.

Hon. Mr. MacKay: Will he use the intervening time, however short, to investigate the totally inadequate facilities that exist in the Selkirk Street School, both the school itself and the annex? Today's paper can fill him in as to some of the problems that the school has. Not only is the annex poorly constructed, but the whole school is totally overcrowded, and the Standing Report, I am sure, will concur in that statement. So, will the Minister of Education assure this House that immediate consideration will be given to the provision for a new school in Riverdale?

Hon. Mr. Graham: Mr. Speaker, since I am reasonably new to this portfolio, I can only assure the Honourable Leader of the Opposition that every consideration will be given to this request, but, at this time, I would hate to say publicly that a new school will be built in the Riverdale area. I will give every consideration to the request and, hopefully, I will have an answer for the Honourable Member at the earliest possible convenience.

Question re: Land Claims agreements-in-principle

Mr. Penikett: Mr. Speaker, I have a question for the Government Leader. The memorandum of understanding between the Minister of Indian Affairs and Northern Development and the Commissioner of Yukon entitles the Government of Yukon to sign the agreements-in-principle and final agreements of native claims in Yukon. Does this entitlement give the Yukon Government an effective veto power over the COPE claim, for example?

Hon. Mr. Pearson: Mr. Speaker, I am very, very hesitant to interpret that memorandum of understanding, because there seems to be some question about interpretation. My own personal opinion is no, it does not.

Mr. Penikett: If an entitlement means only that Yukon may sign the agreement, what effect, if any, would result from this Government's refusal to sign an agreement such as COPE's?

Hon. Mr. Pearson: Mr. Speaker, if the Honourable Member's assumption is correct, obviously, none. It would not have any effect whatever, whether we signed it or not signed it.

Question re: Van Gorder School at Faro

Mr. Byblow: Mr. Speaker, I have a question for the Government

Leader relating to the Van Gorder School at Faro. In recognition of your government's very honourable priority consideration for the school expansion, could you inform this House if and when the Federal Treasury Board is expected to hand down YTG Capital allocations for this coming fiscal year?

Hon. Mr. Pearson: Mr. Speaker, I am going to have to ask for notice of on that question. I am sure I will be able to answer it tomorrow.

Question re: Taxation/Miller Report

Hon. Mr. MacKay: A question for the Leader of Municipal and Community Affairs, could the Minister inform this House of the cost of the Miller Report on Taxation?

Hon. Mr. Lang: Mr. Speaker, the cost of the Miller Report which was commissioned last year, totaled \$26,522. The information, I believe, is on the Honourable Member's desk.

Hon. Mr. MacKay: Supplementary Mr. Speaker.

Mr. Speaker: Supplementary.

Hon. Mr. MacKay: Since that report was prepared with the assistance of some consultants, by the name of Ken Smith and Associates, and as I understand from press releases, this same firm of consultants has been engaged to prepare another report, could the Minister tell us at what cost this new report will be made?

Hon. Mr. Lang: I do not have that information, Mr. Speaker.

Hon. Mr. MacKay: Could the Honourable Minister tell us when he will have that information?

Hon. Mr. Lang: Mr. Speaker, it is going to be very difficult to give an accurate reading of exactly what the costs are going to be because, as we all know, the area of taxation is of very much interest to everybody in the Yukon Territory. I think it is fair to say that there is going to be some costs that will accrue once we have the various options for policy decision making. We will have to use some computers to run off the impact in the shift in taxation if changes are to be made; therefore, I will not be able to give a totally accurate picture, but I should be able to give some information to the Honourable Member.

Question re: Provincial Status/Financial Implications

Mr. Penikett: Mr. Speaker I have another question for the Government Leader. Considering Joe Clark's promise to bring provincial status to the Yukon if the Conservatives form a National government, and considering the wide spread fear of Yukoners that their taxes might rise as a result, would the Government Leader be prepared to table the document drafted by the Territorial Finance Committee that assesses the financial implications of provincial status for Yukon?

Hon. Mr. Pearson: Mr. Speaker, I am not aware that such a document exists.

Mr. Penikett: Supplementary, Mr. Speaker, if he became aware of such a document, would he be prepared to table it?

Hon. Mr. Pearson: Mr. Speaker, if it is a government document, yes, I would be prepared to table it.

Question re: Capital Assistance Program, continuance

Mr. Byblow: I have a question for the Minister of Municipal and Community Affairs. Does his Department plan to entertain continuance of the Capital Assistance Program, vital to municipal and community development?

Hon. Mr. Lang: Mr. Speaker, the Program is presently under review. As he knows, it is subject to negotiations with the Government of Canada. We are reviewing the whole program itself and once decisions have been made, I will be able to report back to the House. I concur with the Honourable Member that it is a very important program to the Yukon.

Question re: Whitehorse Pipeline Information Centre, funding

Mr. Penikett: Mr. Speaker, again to the Government House Leader, the previous Government of Yukon committed on year's funding to the operation of the Whitehorse Pipeline Impact Information Centre. Since the City has hesitated to open the facility without a commitment to long-term funding, for a period at least longer than one year, can the Government Leader now say that the senior government is prepared to commit money for this project for more than one year?

Hon. Mr. Pearson: Mr. Speaker, I will check into this, but my recollection is that we have advised the City of what the Territorial Government's participation in the Impact Centre will be, and that we are now awaiting a reply from them.

Mr. Speaker: Are there any further questions?

Question re: Education, Kluane Tribal School

Mrs. McGuire: Mr. Speaker, I have a question for the Minister of

Education, in reference to the Kluane Tribal School. Could the Minister of Education please inform this House on the official stand on the Kluane Tribal School? Is the Minister prepared to inform the Honourable Minister of Indian and Northern Affairs, Hugh Faulkner, that the Yukon Territorial Government is willing to allow the Federal Government to fund the Tribal School via the Department of Indian Affairs or the Council for Yukon Indians, until this matter is resolved?

Hon. Mr. Graham: Mr. Speaker, I would like to take some time to answer this question in greater detail than I am sure I have the time and ability to answer today, if I may.

Mr. Speaker: Any further questions?

Question re: Skagway Road, maintained year round

Mr. Penikett: Just one brief question, Mr. Speaker, to the Minister of Municipal and Community Affairs. Whereas the cities of Whitehorse and Skagway have urged the Territory to take the necessary action to ensure the Carcross and Skagway road will be opened and maintained year-round, can the Minister advise this House if he has responded to this request?

Hon. Mr. Lang: Mr. Speaker, as the Budget Address is being given tomorrow, perhaps we could have that question given in tomorrow's Question Period.

Question re: Pioneer Grant, applications

Mr. Fleming: Yes, Mr. Speaker, I have a question for the Minister of Human Resources regarding the applications for the Pioneer Grant. There were some problems as to how far back the program actually dated in the area of a spouse passing away. I can read the question, Mr. Speaker, and it may clarify the question a little better, "If the applicant is a surviving spouse of a person who was previously qualified and, were it not for his or her death this year, would have qualified for a Pioneer grant, please complete section so and so and so and so".

Hon. Mr. Njootli: Mr. Speaker, as far as I can recall, when I took office with regards to this portfolio, I looked into the Pioneer Grants Ordinance and I failed to understand, under the present circumstances, the Ordinance itself, so I would have to ask the Honourable Member for some time to look at it again and bring it back to the House.

Mr. Fleming: Supplementary, Mr. Speaker, while he is doing this, would it be possible for the Minister to table the recipients who have gained something from the program? In other words, would he give this House a list of the people in the Yukon Territory who are now, and have been, paid in the program?

Hon. Mr. Njootli: Mr. Speaker, as I stated earlier, I am not fully aware of the Ordinance itself. I would have to look at the Ordinance and, until doing so, I am not prepared to make any commitments in regards to the Honourable Member's question.

Mr. Speaker: Are there any further questions?

Question re: T.E.S.T. ski facilities, relocation

Mr. Penikett: Mr. Speaker, a brief question for the Minister responsible for Municipal and Community Affairs. A large part of the T.E.S.T. ski facilities must be relocated because of the creation of the Hillcrest subdivision and I wonder if the Minister yet has been able to say to what extent the cost of relocating the T.E.S.T. facility will be borne by the Government of Yukon.

Hon. Mr. Lang: Mr. Speaker, I will have to take notice on that question.

Question re: Medicare, employee deductions

Mr. Fleming: Yes, Mr. Speaker, a question for the Minister of Human Resources, in the area of the Medicare program. Under our Medicare program, the employer is obliged to deduct from the wages of the employee the monies to pay his Medicare program. Could the Minister assure me that this is being enforced in the Yukon Territory, seeing it is under our legislation, and it is a fact of life?

Hon. Mr. Njootli: That is how I understand it, Mr. Speaker, that there is provision in the Medicare Establishment Financing of Canada providing funds for the Yukon Territory Government to maintain the Medicare program.

My Department has a medicare referee who is in charge of making sure that the Medicare Act is enforced in the Yukon Territory. Up until now, my Deputy Head is not in the Yukon, and I am not prepared to go ahead and answer the question. I will commit myself now to answer the question at a later date for the Honourable Member.

Mr. Speaker: The Honourable Member from Campbell.

Mr. Fleming: Mr. Speaker, a supplementary question. As the Minister said it is the law in our territory to collect from the workers and the employee. I would ask him today why he does not

check on me and see that my employer, which is the Territorial Government, collects from me, as is the law in this land?

Hon. Mr. Njootli: Mr. Speaker, if the Honourable Member is breaking the law, then.

Mr. Speaker: Order please. I wonder if we could hear the point of privilege first? The Honourable Member from Campbell.

Mr. Fleming: No way am I breaking the law. The employer, I think, is breaking the law. However, we can not debate the question here, it is merely a question. Will they see that their laws are enforced?

Mr. Speaker: Order please, I do not hold that the Honourable Member has a point of privilege. I believe there is a matter of allegation of fact between two members. It can neither be raised in question period, nor does it constitute a point of privilege. The Honourable Minister of Health and Humane Resources.

Hon. Mr. Njootli: If the Honourable Member from Campbell, is requesting action from my department, I would like the Honourable Member to rephrase his question so that I can understand it.

Mr. Speaker: Honourable Member from Campbell.

Mr. Fleming: Mr. Speaker. As I say the regulations and the ordinance say that the employer will deduct from an employee his Medicare Premiums if he is working. I will state a fact that they are not deducting my Medicare Premiums. I am not breaking a law. My Medicare Premiums are paid. They are not deducting them. There are many cases in the Yukon where they are not being deducted, so the question is, are they going to enforce their laws.

Hon. Mr. Njootli: As far as the program is concerned, Mr. Speaker, it is the departments prerogative to enforce those laws.

Mr. Speaker: Are there any further questions?

The Honourable Member from Faro.

Mr. Byblow: I have a question for the government leader. With respect to the resource potential of the territory, and more specifically the recent announcement by Cyprus Anvil on the acquisition of additional properties, what direct involvement will this government entertain regarding electrical needs, hydro or otherwise, for continued resource development Yukon?

Hon. Mr. Pearson: Mr. Speaker, it was pointed out in the Speech from the Throne yesterday, that we very actively support and encourage the actions taken by the Federal Government to make study funds available to the Northern Canada Power Commission in respect to future hydro development in the Territory.

Mr. Byblow: A question related to direct involvement: is encouragement the nature of direct involvement?

The Northern Canada Power Commissioner has a mandate by Federal statute to produce hydro electricity north of the 60 parallel in northern Canada. Our direct involvement can only be to either encourage or discourage Northern Canada Power Commission and the Federal government to either actively promote or not promote hydro development.

Mr. Penikett: This question is directed to the Government House Leader. Would the Government House Leader say whether his government encourages or discourages the decision to in fact investigate the feasibility of only one site for a new hydro project?

Hon. Mr. Pearson: Mr. Speaker, I am not certain that in fact NCPC has been instructed only to investigate one site. I think they have an option to investigate other alternatives as well as the mid-Yukon, if that is what the Honourable Member was referring to.

Mr. Byblow: Would the government be prepared to table the terms of reference under which these studies are being conducted?

Hon. Mr. Pearson: No, Mr. Speaker, they are not ours to table. We could attempt to get this information, but we can not commit ourselves to table it because we do not know whether we can get it. It is not ours to table.

Mr. Speaker: There being no further questions, we will proceed on the Order Paper to Address in Reply to the Speech from the Throne.

Dr. Hibberd: Mr. Speaker, it is indeed a pleasure for me to move this motion for replies to the first Speech from the Throne given to this, the 24th Yukon Legislative Assembly.

As you know, Mr. Speaker, I had the honour to serve the last four years on the 23rd wholly elected Assembly. During the life of that last Assembly, many changes took place and we now are the beneficiaries of many of those changes. In particular, the elected representation on the Executive Committee became the dominant force in the Yukon Government, but the elected members on the Executive Committee, of the Executive Committees of yesterday, were severely crippled, Mr. Speaker, because they never had an on-going mandate from a majority of this House, and there was no unifying mandate, nor policy from the voters.

In a few short months, all of this has changed. Party politics in this House has already speeded up this evolutionary process. There now is a mandate from the electorate. The Progressive Conservative Party, by electing a majority here, now can plan long-range policy with reasonable confidence of continuing support. There is now a leader, elected by the people, to direct and to co-ordinate the efforts of the Executive Committee.

Now that most departments of this Government have an elected member as their Head, I would expect there will be much more responsiveness to public pressures and public opinions, when policies are now being formulated by this Government.

Mr. Speaker, I would like to take this opportunity now to extend my thanks to the voters of Whitehorse South Centre for returning me to office, particularly in view of the high calibre of the opponents which I had to face.

I would like to go further, however, Mr. Speaker, and remind those voters that I can only serve them well when they continue to make their concerns known to me. I encourage them to keep in touch with me.

This brings up a further consideration, Mr. Speaker, regarding the advent of party politics in this Assembly. It fosters the grass roots involvement of the Yukon Territorial Progressive Conservative Party, which at its September convention of last year, put together many resolutions.

The people who attended that convention were representatives from over the entire Territory, and it is now incumbent on the members who have been elected to this House by that Party and to the Executive Committee to work towards implementation of those resolutions. It goes even farther, Mr. Speaker, in that the responsibility to see that those resolutions are followed as much as possible, is subject to annual review at the annual meeting of the grass roots level of the Party.

Mr. Speaker, in the Speech from the Throne, which we heard yesterday, the general feeling was one of increased emphasis on economic development. I agree with that emphasis, but let us look at the economic situation facing the Yukon today.

We are still talking pipeline and, indeed, we must prepare for it, but even if this does come about, we still face five long years before hand and, at present it looks like a very meagre and fragile economy during that period.

We are still dependent on the mining industry and mines are closing but there are no new mines being developed. We are told that there are ore bodies that are now there. If they are not being developed, primarily for two reasons - the lack of inexpensive power and the need for an adequate transportation system in the Yukon. In both of these areas, Mr. Speaker, both power and transportation, this Government must, and will, according to the Throne Speech, energetically pursue these goals. To do this, we need an extended rail line, and, as has already been indicated in our Question Period, we indeed do need a Yukon power corporation.

Mr. Speaker, one of the greatest dilemmas facing a Government and its politicians is trying to define just what the role of government in society should be. On the one hand, there is the continuing demand for increased government services, and, on the other hand, there are demands for less government interference and less competition with the private sector.

It is my opinion that government should function in a supportive role to the private sector. The government should also function in areas where it is not practical for private industry to function, such as justice and education. I was pleased to see that this point of view was endorsed in the Speech from the Throne.

An example, Mr. Speaker, of the supportive role that government might play is our tourism industry. It would be very difficult for the small private entrepreneur to obtain satisfactory exposure to attract the tourists from across this Continent. Government, then, can assist by functioning as sort of the "collective bargainer" for the industry in the southern marketplace.

I would like to point out the danger here, however, Mr. Speaker, we must be sure we are not spending all of our tourist dollars, government tourist dollars, on marketing alone. We cannot neglect what is actually being sold here. To put it in another way, I think it would be safe, or wise, for the government to develop means by which they could assist the private entrepreneur in the Territory. It is no good selling tours in the south if the facilities here cannot handle it.

Mr. Speaker, concern has been expressed regarding the position of this Government with regard to the Indian Land Claims and their negotiations.

This issue, the Indian Land Claim for redemption of loss of land, or aboriginal rights, there is a basic principle involved and it is

accepted by every major political party in Canada. It is also the position of the Yukon Territorial Progressive Conservative Party.

We have recently concluded an election in Yukon. During that campaign, our position was clear. It was not enough to say there should be a claim; it was not enough to say that the claim should be just and that it should be implemented as quickly as possible. These principles, indeed, are true and I am sure this Government will maintain them.

But we have a further responsibility. We are here today as representatives of all Yukoners. We, and we alone, have the responsibility to ensure the concerns of all Yukoners are brought to that negotiating table and that they are given sound protection there.

The actions of the Territorial Government up to now, since that election, have been designed with entirely that in mind. They have been trying to assume a position regarding the bargaining table, which they promised they would during that campaign.

Mr. Speaker, this Government is to be admired for its commitment to the principle that there must be a one government system for all Yukon. We do not agree that there should be separate schools, or separate anything, that has its basis in race. We do agree, however, Mr. Speaker, that major concessions will have to be made to accommodate such things as native languages and culture, and we are willing to make those accommodations, but we must insist that it be done within the present one government school system.

Now, if this is to be accomplished within the one government school system and it is a subject of the land claims negotiation, well, then it follows, Mr. Speaker, that the person who is operating that system, and the system is going to be changed, they must be there in those negotiations.

Mr. Speaker, there have been some allegations made, but there never has been and there never will be, as long as this Party is in power, any bargaining which is not done in good faith by this Government.

We want to see that claim settled. We want to see the development of Yukon proceed on acceptable lines, and we want to do it together.

In conclusion, Mr. Speaker, I would like to move, seconded by the Honourable Member from Hootalinqua, that the following address be presented to the Commissioner of the Yukon, "May it please the Commissioner, we, the Members of the Yukon Legislative Assembly, beg leave to offer of humble thanks for the gracious speech which you have addressed to the House."

Hon. Mr. MacKay: Mr. Speaker, I have the honour to speak first from the Opposition in reply to the Speech from the Throne.

It is also my maiden speech to this Assembly and I trust that the members opposite and around me will bear with me if I stumble along here for awhile, but I do feel a great sense of pride standing here, because today we are following a long and ancient tradition.

It is a tradition that has been handed down to us as a precious legacy, a sacred trust from our forefathers who struggled and have even been prepared to die for the freedoms we, here, are exercising. Let us be thankful, as so few in this world can be, let us be thankful that freedom of speech exists, freedom of the press exists, freedom from arbitrary arrest exists in this country, indeed that democracy is growing and thriving right here in this Territory. We, the latest trustees of these traditions, must make sure we hand it down to our children unimpaired and improved.

One of these traditions which we are now embarking upon for the first time here is full party politics, where we have, on each side of the House, divergent points of view that are supported by platforms that have been prepared in advance, which have been accepted, or rejected, by the electorate. I was pleased to see in the Speech from the Throne that reference was made to this major development. It is a radical change. It is a difficult time for all of us to get used to this change. We have no traditions in this House to follow. These are very sensitive changes. As I think I may have already alluded to, some transgressions have occurred, I feel, already. I would ask the Members opposite to bear in mind, as the session progresses, for the Parliamentary tradition to work, we have to have a strong opposition. We are not to make you look bad, we are out to make you work better.

Radical changes have occurred, another one at the same as this, the party politics, has been the change in the role of the Commissioner. The buck stops here now, or, rather, over there now. That is where it is going to stop in everything connected with Yukon politics.

The statement has been made in the past that in the event that we get into party, we no longer can take a united stand against Ottawa.

That is not true, as will be demonstrated, I am sure. Where the rights of this Assembly, or the rights of this Territory, are in question from an outside party, there is no doubt in my mind that all of the Members will be able to agree on certain basic principles.

We recognize that there is a certain caveat to all this that so long as the money is being supplied from Ottawa, that piper is going to call a certain amount of the tune. We have to live with that. It is a hybrid situation that is going to be difficult for us all, because the Members opposite are going to have to call for the priorities of the spending of that money, but the total amount of that money that is available may not be within their power to determine. But I would agree with the Speech from the Throne, that with Territorial status, in spite of some of the disadvantages, there are many advantages, which we presently enjoy, such as, as was mentioned, the low taxes, among the lowest in the country.

I think we should never forget that, and in our thrust for more power and more responsibility, we should always be bearing in mind at what costs to the citizens of the territory we are prepared to go. I will not be looking, Mr. Speaker, to the Commissioner's office to solve my problems, my political problems. I am pleased to see that she is saying I am not going to be in that position anymore, nor should she be. I welcome the change in the terms of reference, to the Commissioner, and I also welcome the fact that it is public. I think had the previous Commissioner's terms of reference been published, we would have had a much clearer idea of what kind of restraints he was operating under. There has been a significant and a real change of heart, I feel, in Ottawa, with respect to the evolution of responsible government.

I think that while it is fashionable never to give any praise to Ottawa, and in spite of the fact that the incumbent government there has some affiliations, I suspect, with my views, I would like to compliment the Minister of Indian Affairs for his progressive thought and actions over the past 6 months, in recognizing that this territorial is advancing, that party politics will provide real power for the members of this Assembly.

He has done that, he has acceded to our request, and I compliment him for that. There is a new spirit at work in Ottawa and I am sure that the Members opposite recognize that, and that we will work in co-operation with it, rather than using it as a scape goat, as so often happened in the last term, for any problems they could not solve themselves.

The fiscal responsibility of this government, as I said, still ultimately lies in Ottawa. We have a large and significant deficit grant every year. None the less, the fiscal philosophy that this government follows will have a significant effect upon how much money we can spend in each area. I suggest here, that to put it crassly, I suppose, that while the getting is good, let us get some. While there is a deficit grant from Ottawa we should be building up our infrastructure here. We should not be saying that we can not afford any new schools. If we need a school, and the need is proven for it, we should be able to get a school. That is certainly part of the price that we are prepared to pay by not having true autonomy. We must be able to go to the people who do have the money and say, now look, if you are not going to give us the freedom to do everything we want, you are at least going to supply us with money to do what we have to do.

I think that we have to recognize that that money is available and we should not just say that, well, it is not there, because it is there. If we can prove the need, I am sure it is there. It is a question of setting priorities. We can set the priorities here and determine where we wish to spend the money, and I am sure that if we can prove these priorities are urgent, the money will be available.

So, I do not want to see a conservative philosophy about spending impede us from getting structures that we truly need, when the money is available. You can be conservative to keep down taxes, but if it is not going to affect our tax rate one iota, what is the point in not getting the facilities we need?

I read the Throne Speech and, up until about page 4, I was not having too much difficulty. I thought it was a pretty good speech. I suspect the author will appreciate that comment. I got on to page 5 and they came to the program of this Government.

Now, with the highest priorities they stated, I have little disagreement. As a matter of fact, I think placing land claims as a number one priority is the correct precedent.

I would like to discuss land claims. It has been discussed so often before. As a matter of fact, we heard more of the kind of talk we have heard in the past from the Honourable Member who spoke previously. My concern is that I do not think that this is the stage, or the time, for any more platitudes. A fair and just land claims settlement for all Yukoners is, at this stage in the proceedings, a platitude. The time has come for some real negotiations to occur.

I am wondering just how much of a responsibility the members opposite are taking for the settlement of land claims. They have gone ahead and authorized, or I presume they have been authorized, the Commissioner to sign an agreement with the Minister of Indian Affairs. My colleague later will address that question at some more depth.

Let me just say that, having entered into it, they have now assumed a major responsibility for settling land claims.

I trust and realize that we are entering into it. It is not an ability to go in there and obstruct and slow it down, it is an ability to go in there and create. It must be viewed in that spirit.

If you are going to be creative and you are going to recognize an aboriginal entitlement, you have to recognize that we, in this Assembly, are going to have to make some changes to the laws of Yukon.

I wonder what planning the members opposite have made, with respect to these changes. Are we going to fight a rearguard action? Are we always going to be making concessions? Is that the way, Mr. Speaker, we are going to view these negotiations, where we are going to go in and make concessions all the time? That is a negatively point of view.

If we do represent all of the people of the Yukon, and I think we do, we have to encompass the whole good there. We have to recognize cultural differences. We have to recognize economic differences. We have to recognize educational differences. We cannot say that everybody is equal, because if there are differences, they are not equal.

This Government has to show a compassion for those less fortunate than ourselves. I did not detect too much of a note of that compassion in this Speech from the Throne. As a matter of fact, I observed quite a lot of the same old double talk that we have heard for years. A just settlement for all Yukoners. I mean, is that a way of saying that we are not going to account for any changes? I hope it is not. This is not the time to become acrimonious about it, but I am saying that the people in Yukon are looking forward to seeing other than just a just settlement for all Yukoners. They are looking forward to seeing positive and creative initiatives by this Government to bring about a land claims settlement. Because we better rest assured that if we do not make these moves, these positive moves, there will be a bitter harvest for this Territory for years and years to come. We can already taste a slight bitterness in this Territory already. It must not be allowed to get worse. We shall do our best, on this side, to ensure that it does not get worse.

Now, preparing for the onset of the pipeline was the second priority. I would also like to hope that the members opposite are preparing for the non-onslaught of this pipeline, which could, indeed, be a bigger problem than the pipeline itself.

However, we will make the assumption, and I think it is a valid assumption, that the pipeline is going to occur, albeit not on timetable. I would say this, that, up until now, the Yukon Territorial Government has not shown much awareness of the problems. They have had the attitude of an ostrich with their head in the sand in the face of the oncoming storm.

We cannot afford to wait any longer to move on the preparations, but we are going to be asked to consider legislation very shortly, as indicated in the Throne Speech, to enter into an agreement with the Government of Canada. Now, I will debate that in full when it comes up, but let me ask some questions in advance, so that perhaps there are some answers in the debate, what negotiations have gone on between this Government and the Government of Canada with respect to the Heritage Fund? What negotiations have gone on between this Government and the Federal Government with respect to sharing costs and the payment of costs by the Federal Government?

We are going to get a pathetic little bill of two paragraphs to consider, but these are the issues underlying that bill. We are going to be asked to assent to that bill, to agree with it, but I do not think we are going to hear any assurances of answers to these questions, Mr. Speaker.

I would say that the previous government was right to a certain principle. They were reluctant to borrow money in advance to spend on pipeline-related impacts, because they felt that the revenue derived from that pipeline should be for the benefit of the Yukon people.

I agree with that, but I disagree with stopping there and saying we have no money, we cannot do anything. What a pathetic stand. Of course you have money. What you should be doing is finding out what the problems are going to be, how much they are going to cost, and look into it. Make sure that when you go and ask for what we need, you know how much to ask for. At least that.

I do not hear any evidence of that kind of thought process going on.

Unless I appear totally sour on this whole thing, I think that the economic thrust of this Speech from the Throne is very good. I congratulate the members opposite in taking that pro development stand, because it is only through development of our resources, and let us include human resources in there, that Yukon will be able to stand on its own feet and provide a comfortable and secure standard of living to all our children.

But let us be careful in our enthusiasm to get at this thing and really make things happen, snap, crackle and pop. Let us be careful that we do not give away our birthright. Our birthright is a magnificent country, a huge country, wilderness, rivers, mountains. That is our birthright. That is one of the reasons we are Yukoners, because we enjoy this.

Well, I am just throwing in a word of caution there. Let us not destroy that. A further conflict I can give, with respect to tourism, the Department of Economic Development and Tourism, an excellent idea, first formulated by the Liberal Party. I am very pleased to see that, but I would again caution, as the member opposite has indicated, that before you go out and double the budget of tourism, let us find out where the money should be spent.

Do we know that we spend another \$500,000 on advertising that it was going to bring one more tourist here? Do we know that? Or ten more, or 100 more? We do not. The plain truth, Mr. Speaker, is that we are spending about half a million dollars on advertising right now, and we have no capability of telling what impact that advertising is having. We think we are advertising in the right places. We do not know.

So, before you go and double the budget, make sure there is something in there to tell us how to spend that money wisely. I think we should be spending more, we should be able to know where the tourists are coming from, we should be able to promote it in a time of year when we have the facilities to handle it. Let us not get 747's landing from Tokyo every day before we have the facilities to look after these people.

Specific mention was made in the Speech, Mr. Speaker, of the Kaiser Aluminum Reduction Plant proposal. I am glad to see the Government Leader has undertaken to convene a meeting with these people in Vancouver. I am very pleased to see that, because I feel very strongly, as I have stated before, that an opportunity was missed a year or so ago when Kaiser came to us. Now we are in the reverse position of having to go back to them. Another good way to enter into a major economic initiative.

However, this government has the chance to look at a very significant proposal. If we feel, and as I do, that a diversification of our economy would be beneficial, this kind of diversification may in fact be the best kind.

However, before going to this meeting, let me put in a few words of caution. Kaiser Aluminum is not a charitable organization. It does not exist for the benefit of Yukoners. They are going to be there to extract as many concessions as they can possibly get. Tax concessions, cheap power concessions, cheap land, cheap property tax, access, back and forth to tidewater, all these things they are going to be looking for. What are we going to ask for in return? Do we know? Have we thought of that?

But let us think of that before we go. What are we going to get in return. Now what we are going to get is a new industry, but to get that new industry, we also have to build a large power project, Mr. Speaker, a hydro power project, no doubt.

This will create more jobs. It will create more income for Yukon. It is very good, but it is a finite source of power, this. You know, we should not just say we have got 2,000 megawatts of power available to us in Yukon, like we can go over there and turn on a switch and 2,000 megawatts start flowing. It is not like that. First of all, that is an estimate and, secondly, it is very expensive, and, thirdly, it could be very damaging to the environment. It could change this country, this magnificent country that we have. It could change it irrevocably.

So let us be careful before we enter into any one-sided agreements and let us also recognize that if you have a finite amount of power that you are going to have to set priorities for the use of that power.

Now, the major reason that Kaiser would come to Yukon would be for cheap electrical power. I do not know why they would want to come to Yukon for that right now, because it sure as heck does not exist. Hopefully, that kind of development may, in fact, give the consumers some cheap electrical power. But that is the reason they are coming.

Now, okay, why would they come to Yukon? There are much warmer places to do business. The reason they are coming is

because this is one of the last places in the world that does have untapped potential for power. We have an extremely valuable resource. In an aluminum reduction plant, what we are doing is importing bauxite from Australia, bringing it up here, changing it into aluminum and sending it back out again. Really what we have done, aside from having about 1,000 jobs, we have exported our power.

We could almost run a line through to Alaska and say, carry on. In fact, if the aluminum reduction plant was in Alaska, we would not even consider it. But do not forget the major component of this thing for Yukon is the use of that electrical power. That is the major component.

What if we only had, Mr. Speaker, the availability of 500 megawatts in the next 20 years, 15 years? What if this is all we have, and what if we commit two-thirds of that or three-fifths of that to Kaiser? Let us be careful, because we may, in fact, be precluding development of our own resources in favour of some other country's resources.

So, a word of caution. We may, in fact, be able to meet Kaiser's needs. They may be able to meet ours, but let us look further down the road than just the 1,000 jobs that this one plant would give to Whitehorse. Let us see what jobs it would not give to use when we go to develop a smelter for our lead-zinc deposits, because that might be the choice.

White Pass, again I am pleased to see that the government is going to take some initiative in that. I think there is one thing that I would say in that question, and it is that the key to the survival of White Pass, and I think we are all agreed, and at least I am in agreement with you that the survival of White Pass is a very necessary thing to the on-going economy of Yukon. The key to that survival is whether or not the government enters into competition with it.

The competition I refer to is the Skagway Road. 110 miles of railway line cannot compete with 110 miles of road. It cannot be done economically.

So, if we hear in the Budget tomorrow that we are going to upgrade the Skagway Road and have it a year-round operation, what you are doing on the one hand is trying to put White Pass out of business and, on the other hand you are saying we are going to keep him. So we are going to subsidize White Pass as well, and build a new road, or upgrade the road. We are going to spend money both ways to get exactly what we have got for nothing right now. White Pass is supplying it, so be careful.

The key element of any future planning for White Pass is whether or not this government is prepared to guarantee White Pass that they will not have to suffer direct competition for the hauling of ore to Skagway. They are in the financial difficulties they are in today not because of the Skagway Road, let us be clear about that. They are in financial difficulty today because of two things. One is the closure of the Cassiar-Clinton Creek Mine and the other is that they have incompetent management.

The closure of the Cassiar Mine we can do nothing about. The incompetent management I think something is being done about. They have fired just about all of their top echelon and we can look forward, perhaps, to some different faces and some new ideas in the near future.

Hydro power, again, was mentioned. I think I have covered that fairly well. I would have liked to have seen an initiative, though, from this government.

I would like something more definite to talk about, it is very vague, all of these things.

Why does this Government not say, "We want to form a Yukon Hydro Corporation"? Why are they not saying that today? If we are going to control our development, that is the key element; although I do not agree with the Honourable Member from Whitehorse South Centre. I do not agree that the lack of power is the primary reason for no new development of mines. That is completely and utterly wrong. It is a nice argument but it is not correct. The prime reasons for non-development of mines is the fact that world ore prices have not been good enough.

The cost of power, as to the rates for the operation of a mine, represents about one cent per pound of the production cost of ore. We are talking about selling things for eighty or ninety cents a pound, I do not think one cent makes a big difference in the decision of whether or not to go ahead and develop a mine. It would be nice to have it because Yukon could make some money by selling that power, no problems there, all in favour but let us not be taken in by thought that the mining industry is not coming to Yukon because there is no power, it just is not so. It is for reason beyond their control, beyond our control. That circumstance is changing and I look forward, with the rise in the mineral prices, prices as they are

occurring now, I look forward to seeing new mines being developed.

I hope this Government can encourage, for example, the owners of Whitehorse Copper not to walk away from all of their investment in Yukon when the time comes to close Whitehorse Copper because they do have other mineral prospects. This Government should be ensuring that there is a continuity. They will not shut it all down and then two years later start all over again. Perhaps there is some element of need here that this Government can examine.

In summary, on the economic side, I think the Government has done well in that respect, they are trying to develop a wholesome attitude towards development and I think that is great.

Saying is one thing, doing is another and we will look forward to the doing in the next little while.

Education, well, there are a number of different problems on education. I have alluded to one already in Question Period. We have some disgraceful overcrowding in some schools. Faro, for one, and Riverdale for another.

I think that is something in the power of this government to correct. I do not see any promises there. Presumably the Budget tomorrow will be giving us everything we ask for.

I do not think the Teacher Training Program has been a great success. It is going to be changed, I believe, to try and include more rural people. I assume that is an allusion to trying to get more people from our Indian communities into the education system. If that is the case, yes, I think that is very, very necessary. We have to do that, because one of the things that happens when an Indian child goes to school is a feeling of total alienation. Brought out of a different environment, a different cultural background and put into our schools, and the first thing they are going to do is read about the red double decker bus driving Charing Cross Road. Very irrelevant, very irrelevant. It is no wonder that the school dropout rate is so high.

I did not see anything in the Speech from the Throne about curriculum development. That was a very large issue in the last election. I heard promises from the party opposite that curriculum development would occur. I did not hear anything about that.

I did not hear anything about a community college. That was one of our promises. I was looking forward to hearing something on that, particularly since there was a study commissioned shortly after the election to look into the whole matter. I will be looking forward to the results of that. I am sure it will prove, or underline the case for a community college.

You talk of a single education system. Be careful with words. You get into very hot words when you discuss this problem. I have heard words like apartheid being used in this Assembly, in the last Assembly. That is a very hot word. It should really only be used under the closest constraints.

We should not divide our people up on the basis of race. That does not preclude us, though, from recognizing differences. There are cultural differences, economic differences that occur, and the majority of one particular race may fall into that particular section. Government has got to recognize that as a problem. We should not ignore it and say, well, we cannot look at it on the basis of anything else other than everyone being equal. That is ignoring the problem and it is not going to go away.

So, when we talk of a single education system, a single government system, this Party is in favour of a single government system, but it has to be a compassionate government system. It has to recognize the inequalities of the people that it governs. So, I welcomed the references in the Speech to the increase attention being paid to the Indian language and cultural aspirations.

I think that this is going to be a continuing difficult topic for this Assembly. I hope that we can deal with it reasonably.

Under Health Care, we are still pushing for that Health Care transfer. A couple of things on that. I agree that we should be looking after our own affairs. There seems little reason, since we are paying for a fair number of these services, that, in fact, we should be administering it. It is another step in the evolution towards responsible government.

However, we must not forget that the federal government has a constitutional responsibility to supply health care to the native people. That is law, I mean, when we talk about apartheid, I mean, the Indian Act is a fact of life we have to live with. It is there.

So until that is repealed, let us live with it. Let us recognize that the Indians have a right to say whether or not they want to have this transfer occur. And also let us look at from the point of fiscal responsibility. Has this government really looked into what it is going to cost us to take on that program? Are there built-in guarantees in there to make sure that the government of Canada continues

to bear its cost of this program. I wonder? Perhaps we can expect the tabling of that agreement, or the draft agreement, later on in this session.

Oh, I have been rather kind to the government to this point. I dwelt at some length earlier with the responsibilities of this parliamentary tradition we have here. We have to practice the art of democracy in this House, and as leaders of the Territory, which we are, we are elected, it is our duty to show the people of the Yukon that we are striving to represent their chosen policies, and to fulfill the election promises that we made. These promises we made not lightly, I hope, not merely to get elected, I hope, but to set the goals in front of the voters, which they expect us to achieve.

A number of things are missing in the Throne Speech. No mention of decentralization, no mention of any special attention being paid to the Game Branch, no mention of streamlining the disposition of land, no mention of consumer affairs. Are we going to have assistance at rate hearings for citizens? No mention of rate equalization. These are some of the promises that were made, but the major omission, and it pains me to draw attention to the House of this, what I would say, a gross betrayal of all the Parliamentary traditions we are expected to hold, one promise, Tax Reform, which each party made and agreed upon. A promise that was particularly strongly worded in the election platform of the Members opposite. A promise which I believe got at least one of them elected, or at least defeated his opponent. A promise that was reaffirmed by unanimous vote of this Assembly last December. This promise has been irretrievably broken. Unfortunately, voters may have to wait for four years to get even with the Members opposite, but I think they will.

The Government is leading us to believe that another study is required. Piffle. It is a stall tactic, done at the cost of thousands of dollars to those same taxpayers who have been betrayed. The plain truth is contained in the words of our Minister of Municipal and Community Affairs recently. You stated: "This is not the time for midnight amendments".

I put it to you that any amendment to him would be a midnight amendment, because he is totally in the dark about the whole subject. That is the most charitable assessment I can make.

A more sinister one would be that the Government has no intention of changing the Taxation Ordinance, because they like it the way it is, despite their promises. I hope this is not so.

Ample time, Mr. Speaker, has elapsed since the scope of the injustice perpetrated on some property owners has become known. Indeed, the former Minister of Local Government commissioned the Miller Report, again at huge cost, \$26,528, we are told, \$26,528. It has been commissioned and presented. This report has been available since October.

Can the Minister of Municipal and Community Affairs tell me what is wrong with this report? Even if every recommendation that that was made was not acceptable to his staff, surely under his direction he could have come up with some answers. There is just no excuse for not bringing in this legislation, there is no excuse whatsoever.

Let me conclude by reading the members opposite two quotations from their own policy convention, September, 1978. The grass roots party said that there would be: "immediate special considerations to those property tax owners who, in the last taxation year, have had excessive increase in property taxes". Where is this special consideration? That is a promise.

Further, "revising the present property assessment and taxation structure within the Party". I see no remedial action proposed. If you did not mean it, why did you say it?

Finally, for you to pass here, in all hypocrisy, it now appears, to pass a motion last December which said that this Assembly would reconvene as early as possible for the purpose of amending the Taxation Ordinance. To pass that and then to come forward with a Throne Speech which says, well, in the Spring Session, time unknown, we will bring forward a paper, contents unknown.

I do not see how any of the Members opposite could support their Minister in the face of these pledges. I would suggest that they have no choice, if they examine their consciences, but to vote for the amendment in the Throne Speech.

That amendment I now make, moved by myself, seconded by the Honourable Member from Klunene, that the motion be amended by adding, after the words "House", the following words, "but regret that the government has failed to fill its election promises".

Mr. Penikett: Mr. Speaker, it is my great pleasure to participate in this debate.

I would like to begin my reporting to you an apocryphal story that is going around about the intelligent ten year old boy who is

said to be one of the Yukon Conservative Party's leading thinkers. They say he has a theory that spiders could hear with their legs and he said he could prove it. He placed a spider in the middle of the table and said jump. The spider jumped. The Tory boy wonder repeated his demonstration and he pulled off the spider's legs, put it back on the table and again he said jump. "Jump", he shouted. This time, the spider remained quite still. "See", said the boy, "you remove the spider's legs and it goes stone deaf."

The Conservatives, Mr. Speaker, may think we are pulling their legs, because they do not even seem to be able to hear themselves think. They certainly have not heard the people of Yukon. They certainly have not heard the echo of their own resolutions. They obviously have not recently listened to their own election promises.

The Throne Speech was a big disappointment to those good Yukoners who expected, and voted, because they thought the Conservatives would deliver a program based on their election promises.

Mr. Speaker, the Government said in its speech yesterday that its priorities were an early and just settlement of land claims, a full state of preparedness for the pipeline boom, and the development of a firm and aggressive economic development policy for Yukon.

I cannot really quarrel with these objectives, Mr. Speaker, but, they bear no relation to their campaign commitments of last year.

In the final desperate days of the election campaign of November, the Tories ran a series of full page advertisements in local newspapers that said, in huge type, and I quote: "Only the PC's will combat inflation, unemployment and the high cost of living". After pledging that, and after listening to the highest priority commitments outlined in the Speech from the Throne yesterday, it again occurred to me why people have so little faith in the political process.

The average working person in Yukon is the hardest hit victim of such doubletalk, as the Opposition Leader described it. No wonder people trust politicians so little.

The average working person in Yukon, not to mention the unemployed, is the person hardest hit by inflation and the cost of living. Of course, if it were not so funny, it would be sad that the Tories had to say that twice in their advertisements, because I always thought that inflation and the cost of living were something like the same thing, at least in most people's minds.

And we all know, or at least the honourable members on this side of the House know, that the cost of living and inflation hits the unemployed in this Territory even harder than it does a person lucky enough to be working full time.

We heard some optimistic and confident words about the Yukon economy in the Speech from the Throne yesterday. That, as far as it goes, is heart-warming. In the last few days I have been doing a little research, and I discovered that the Government of Canada now has had to, for the first time, define the unemployment in a region like ours, in order that they can determine the eligibility period for people to claim unemployment insurance. And according to Statistics Canada, the unemployed in Yukon number 25 per cent of our population. If this figure is even generally accurate, accurate at all, we have the highest rate of unemployment in the country, even higher than in Newfoundland, where it is considered tragic at 17 per cent.

That is 25 per cent unemployed in a region of a country that feels that 10 per cent is disastrous.

As I think most sensitive people know, Mr. Speaker, the story of unemployment and the unemployed is a sad one. I am sure we all know people who have been personally hit by lay-offs or lack of jobs in their area and what an incredible drag it is to be forced to collect UIC for awhile and then made to go to the YTG Welfare office so that families can eat, be clothed and housed.

Yesterday, the Commissioner spoke movingly of dignity, but 25 per cent of the population may be living in anything but a state of dignity.

Mr. Speaker, they are not only out of work, they are very nearly out of self-respect. They are victims of the times, conditions global, national and local. It is the local conditions that concern this House and this government, directly, Mr. Speaker.

The Tory answer to unemployment has usually been to tell the jobless to go away and get a job, but, Mr. Speaker, there are over 2,000 people unemployed in this Territory and, this morning, when we phoned, there were only 99 jobs available at the Canada Manpower office.

For the most part, the jobs do not exist, and even if every available job were filled tomorrow, there would be many hundred people still without work.

And those people, the Conservatives, promised the entire Territ-

ory last November that they would do something about unemployment. So where is the Government's plan of action to help these hundreds of Yukoners. Nowhere.

It is there first big chance to live up to their promises, their promise to the unemployed of the Yukon, and they let them down.

As I have said, there has been a lot of optimism expressed, and confidence expressed, about the Yukon economy. According to ERPU's Yukon Employment Survey of January, 1979, only 58, count them, 58 new permanent jobs were created in the Territory last year. The number of new companies in 1977-78 increased 30.3 per cent, but jobs, full-time jobs, increased by only 12 per cent.

Mr. Speaker, the Conservatives also promised action on inflation and the cost of living, and I will be amused at some future date to listen to their explanation of the difference between those two subjects. But, again, according to surveys done by this Government's Economic Research and Planning Unit, the average price for a house in Whitehorse has risen 27 per cent in the year and a half from July, 1977 to December, 1978. A cost rising from an average of \$50,381 to \$64,031.

It is really worse than that, for those figures are what they call "weighted averages".

The real picture looks like this: The average price of a home in Whitehorse in July, 1977 was \$49,689, if indeed that is what one would call affordable housing. But this past December, the average cost of housing in Whitehorse was \$67,627. That is a thirty-six per cent increase, and this Government has no plans to do anything about it, no plans to make housing affordable for Yukoners. Mr. Speaker, I believe housing, like health and education, ought to be a social right. At current prices, most young families would be simply left out in the cold.

In Riverdale, in September, 1977, a home cost an average of \$55,630, but now, or at least last December, it cost \$77,377. Due to marketing conditions, the price was actually higher last August than December, at \$70,700. These figures show Riverdale to be average, or indicative, of the entire Whitehorse picture. Let us analyze it a little further.

For Porter Creek, Crestview and in my constituency, Hillcrest, the lowest average price is \$45,406 in August, 1977. Last November, the price was \$60,168, an incredible forty-three and a half per cent increase.

The really desperate situation is, and this should concern the Members from Whitehorse North Centre, and the Member from Whitehorse South Centre, it was found by the government's researchers to be in downtown Whitehorse which, if the situation does not change soon, will simply be too expensive a place to live for the average citizen.

The lowest downtown home price was found in September, 1977, at a modest \$30,500. But in November of last year, the price had increased a truly unbelievable seventy-four per cent, to \$59,000.

No survey of downtown housing was done in December, for some reason or another, but if we do accept the weighted averages for downtown housing prices, we find they have increased 36.7 per cent, nearly 37 per cent. The government, Mr. Speaker, wonders why we have a squatter problem.

Housing prices therefore, for the government's own figures, have increased by more than one-third in the recent 18 months. It was not due to extravagant wage increases, it was not due only to the increased cost of building materials, it was due, in large part, to speculation. Speculation, that makes victims of hard working Yukoners who ask their government for nothing more than a reasonable standard of living, which includes affordable housing. Considering the high interest rates being charged by the banks, housing is becoming less and less affordable, as the days go by, and as government inaction continues.

This is a very serious situation, the government, unless it does something about it, will soon see Yukon life become a luxury only the wealthy can afford. The workers of this Territory, and this country, are only now just coming out from under the unjust wage control program. For three years wages were controlled and prices were not. At the very least, the government should dramatically increase the supply of housing land. Speculation of the kind we have seen recently, will only continue if the demand continues to exceed the supply. Unfortunately, the government has announced no clear plans to keep the land supply well ahead of demand.

The problem is bad enough for people trying to buy a home, Mr. Speaker, but what about those who have to rent? Nearly half of the people, in homes in the Territory, rent.

In Whitehorse, last year, again according to ERPU, they had to pay an additional 11.8 per cent for the privilege. Not that landlords

are bad of course, and not that some increases were not justified, we all have increased costs to meet, but since the average rent increase was just under 12 per cent, I am sure that there was some pretty unjustified increases much higher than that, and as the pipeline approaches vacancy rates will drop, rents will rise dramatically, unless the Government has rent control legislation ready.

But there was not a word on this subject in the Speech from the Throne. The only good news for renters, last year, is that the vacancy rate increased to 9 per cent from 1.5 per cent the year earlier.

Hopefully, landlords will be so eager to fill their dwellings that competition will keep the cost of rents down, for the time being.

Rent controls are not a permanent solution to housing shortages, but during the pipeline period they will be necessary to protect the thousands of Yukoner tenants who will not be employed on the pipeline and will not be earning the kind of incomes required to keep up with pipeline inflation.

Rent controls are firmly within the jurisdiction of the Yukon government. Of all of the measures that the government could take to control prices, it is the single most effective instrument under territorial authority. But again, from the Tories, we have nothing. Not a word.

Mr. Speaker, two thirds of the average family's budget is made up of food, housing and fuel costs. The price of food is not only an issue of food cost, it is an issue of health. Every person needs a minimum amount of nutritional food every day to keep their bodies and minds functioning reasonably well. Perhaps people could live without adequate housing, but they cannot live without adequate food.

It is simply amazing that companies like the George Weston chain, the only significant food company operating in Yukon, can jack up the price of such essential commodities for their own gain. This is monopoly at its worst. And while the government does a fair job of researching the problem, the government has no idea why the prices are as high as they are, and it has no idea, let alone a plan, to deal with the price of food.

Sixteen point five per cent was the increase in the price of food in Whitehorse in 1978. Sixteen point nine per cent was the increase in Watson Lake. Fourteen point three per cent was the increase in the cost of food in Dawson City.

These increases, Mr. Speaker, took place over a period of one year, and all are significantly in excess of the national rate of inflation.

What is more disturbing, is not just the rising costs, it is how fast they are rising. Dawson City's food prices rose faster by 5.8 per cent than Edmonton's, and 2.9, almost 3 per cent faster than Vancouver's. Why is this so? Can the government give us an answer? Is it even trying to find out?

In Watson Lake the prices went up faster still, 5.3 per cent faster than Vancouver, 8.2 per cent faster than Edmonton. I can speculate, Mr. Speaker, at this rate conceivably there will not be a moose left in the Territory some years from now.

Let us not forget the largest population center, profit centre, from the Kelly Douglas point of view, in the Territory, Whitehorse, where half the Members on the other side of the floor live. On top of a 16.5 per cent increase in food cost, the government's research group tells us the prices went up almost 5 per cent faster than Vancouver, 7.8 per cent faster than Edmonton. What makes this all hard to take, so hard to take, is that the price increases, not the rate of increases, for Vancouver and Edmonton, was about 11.1 and 8.2 per cent respectively.

So the problem, Mr. Speaker, is not just national or international, and that has always been the difficulty when dealing with the food industry. There is no clear jurisdictional authority, and I recognize the problem as well as anybody.

Mr. Speaker, there is something especially rotten about the price of food in Yukon. It stinks. I think the people of the Territory are beginning to want to know where the smell is coming from. I wonder, Mr. Speaker, if the statistics like these and the promises made by the government party last November, why in Heavens sake, they just sit there, hearing no evil, seeing no evil, speaking no evil. No wonder, they are ready to reassure the business communities that Yukon will be a good place to invest. Weston Foods is a perfect example.

Do the Tories not get angry, Mr. Speaker, about the rising prices like the rest of us consumers, or are they just content to give themselves salary-wage increases to cope with the higher cost of living.

Mr. Speaker, we cannot live on specials or lost leaders alone.

Does that situation really have to get to the point where wage demands must rage against the inflationary storm? Must the working people of the Territory have to worry and fret and strike just to keep what they have got right now? We already have double-digit inflation again in the Yukon. Yet the Conservative Party simply does not see it as a problem, except at election time.

What is going to happen in this territory. We have not seen the worst of it yet. Pipeline inflation will surely make today look like Christmas, and whatever happens will be the responsibility of this government. They will not be able to say that people on this side of the House did not warn them. With double digit inflation in food and housing prices in Yukon, worn out by the studies of the economic and research and planning units, Mr. Speaker, Yukoners would be better off with a government Mr. Speaker, that not only compiled data at how drastic the situation is, but a government that made plans to do something about the state of affairs.

What else were we promised last year when the Tories were doing their early Christmas shopping for votes?

Oh yes, tax reform. Mr. Speaker, governments are anything but perfect. People are anything but perfect, but the public expects everyone to at least try to do their best, and more to the point, they expect them to do what they say they are going to do.

I quote the Minister of Municipal Affairs in a newspaper on February 27th. this year, where he is reported to have said, "My main effort is to try to keep taxes down." Mr. Speaker, we have seen no evidence of such effort. Since the recommendation of the Miller Report, last October, I am sure every politician in the territory, and especially those of the political parties dedicated, like to Tories, to do justice to those who were wronged by last years general assessment, have read the report, or at least are aware of some of its major recommendations, since its release.

Mr. Speaker: Order please, I am wondering if I could inform the House and the Honourable Member now speaking that I will permit another moment of debate and then I would be calling a recess at which time I would give the Honourable Member the ability to resume his debate.

Mr. Penikett: Thank you, Mr. Speaker.

Let us give the Minister the benefit of the doubt. Let's say he did not have the chance to read the report until he was appointed to his post in Executive Committee in December. Let us say that it was then that he first took a look at the problem, and then voted with the rest of the House on December 14th to make quick changes to the Taxation Ordinance. From the time he was assigned the portfolio, until his announcement on February 15th, of this year that he planned no immediate changes to the taxation ordinance, the Minister had fully 8 weeks, not counting one week off for Christmas, to acquaint himself with the problem, the report, and the possible solutions recommend by the Miller Committee. The Minister apparently chose to do nothing, or was it something else? The day after his February 15th announcement, we discover the reason, the Minister had not done his homework. He admitted it publicly to a newspaper, he explained that he does not understand the ordinance, he does not know how to do his job, he wants the Yukon to wait until he has a grip on things. Mr. Speaker, the Yukon cannot wait that long. Nobody can wait that long.

Mr. Speaker: At this time I would stand The House in recess until 1:30 this afternoon.

(Recess)

Mr. Lattin: The Member for Hillcrest can continue his speech.

Mr. Penikett: Thank you Mr. Speaker. Before lunch, we were discussing the sins of omission of the Honourable Minister responsible for Public Works and Community Affairs.

Mr. Speaker, the Minister did not only let the public down, but he breached, as the Honourable Leader of the Opposition said, a trust of this House. Now we find the government leader says there will be a session before June, to deal with the promised government paper on taxation policy. Not only will it be too late, Mr. Speaker, to help those, done an injustice this year, and the year before, by the most recent assessment by the City of Whitehorse, but we have no assurance there will even be legislation to deal with. We may be called into session just to discuss the policy paper, not to right the wrongs done to so many loyal Conservative, Liberal and NDP voters. If this was strictly a partisan play, I could understand the Ministers lack of interest, but there were people all over the place, including Porter Creek, who have been ripped off by the current taxation system.

To move onto another matter Mr. Speaker, its very highest priority, this government stated yesterday, was an early and just settlement of Yukon Indian Land Claims, and that it had sought, and achieved, a meaningful role in the land claims negotiation, as a full

and active participant in the Federal negotiating team. To my mind, Mr. Speaker, the Conservative Party has been as much as anyone to blame for slow progress in the land claims talks. It is fairly clear that Yukon Indians simply do not trust this government, and the Honourable Member of Municipal Affairs must recognize that he has been one of those people who has been a focus of that distrust.

Just the other day I heard an Indian gentleman comment that the Honourable Minister reminded him of Hobb's description of life. That is just one example of the bad feelings that exist Mr. Speaker. Apart from the possible exception of the Member for Whitehorse South Center none of the Conservative Members of this House are even as progressive on the question of aboriginal rights as the Conservative member of Parliament for Yukon. It sometimes seems that even the member for Old Crow would rather be a Conservative than an Indian.

In the Throne Speech, Mr. Speaker, there was no mention of the special rights or the special status of Yukon Indian people, only the special role.

Mr. Speaker, the role of Indian people in Yukon society has been as a pool of surplus labour for labour intensive projects like the Alaska Highway, the object of racial abuse, the role of an underclass, in our community.

This is the situation today, this is the role of the Yukon Indian in our society. That role will not change through an early and just settlement of land claims, but through a change of mind, a change of heart, and a change of attitude. It will take much more to achieve equality than the kind of "integration" the government is proposing.

We may fantasize, Mr. Speaker, about the political autonomy, but we are not yet a politically mature community. Ours is a colonial situation. Indians are governed by Indian Affairs and non-Indians are, in large part, ruled by Northern Affairs. All the conflicts the two groups have been resolved on one Federal cabinet minister's desk. Like children, we have run to the Great White Father in Ottawa with all our complaints. We have not behaved like adults and resolved our conflicts face to face. We have not yet acquired the maturity to deal with each other honestly, without hostility and prejudice.

Mr. Speaker, I am pleased to hear the Commissioner comment on this malaise and I hope her statement is a sign the Yukon is growing up.

Provincial status is the battle cry for Yukoners who want more control over their own lives. Land Claims is a term used to describe Indian aspirations towards a similar goal. They are, or at least ought to be, parallel processes.

The government wants us to be in a full state of preparedness for the pipeline. Well, that is fine. We can only be thankful there is a two year delay in the start of construction. Maybe now, given the right attitude, sound judgement of the situation, and more than enough determination, the government has time to find ways to control the adverse impacts of the pipeline so that Yukoners can truly benefit from the project, rather than suffer their effects in silence.

What this government party fails clearly to realize, and except in the last minute campaign gimmicks, is that the major impact of this pipeline is bound to be on prices in the Territory, inflation. If this government has no clear idea about how to deal with such a thing, even now, when the problem is serious enough, let alone when it really gets rough.

To conclude, Mr. Speaker, many of us live with the daily agonies of community divided on racial lines. All of us experience the malignant effects of inflation on our real incomes. Most of us have friends or relatives who cannot, for the life of them, find a job. There are hundreds of people in Yukon who know more than I about property taxes and assessments. Unfortunately, I see none of them in this House, so I am not afraid to speak out against the injustices in the present system. However, the stone wheels of the Tory bandwagon roll on. Tories, as always, are living the past, and as it is said in NDP circles, when a Tory appears on Talk Back, the program runs from noon until eleven a.m.

Yukon will never be the same again, Mr. Speaker, it will get better yet, but not without intelligence, courage, and foresight. As yet this government has not displayed these qualities. It has not even pretended to live up to its promises.

Benjamin Disraeli once said, and I quote, "A Conservative government is organized hypocrisy." I would close my speech with that quote.

I would move, seconded by the Honourable Member from Faro, that the amendment to the motion be amended by adding the

following words immediately after the word, "promises", in respect of inflation, unemployment and other important matters.

Mr. Speaker: I wonder if I could have a copy of the amendment for the Chair.

Mr. Byblow: Mr. Speaker, I rise in support of the sub-amendment to the Throne Speech, and I petition this House to support it.

As it was for the Leader of the Opposition, this presentation is something of a maiden exercise, an exercise that has been, or will be, carried out by at least 13 of us in this House.

Mr. Speaker, in the fullest of parliamentary tradition, the Throne Speech emphasizes the political responsibility and accountability in Yukon's elected members. In fact, the entire Throne Speech echoed those concerns, those visions and those ideals that all Yukoners would subscribe to, if implemented and demonstrated in action by government.

But I am disillusioned, Mr. Speaker, for the lack of demonstrative performance by this government. Sporadically ignited by flashes of brilliance reflecting mature and responsive judgments, the track record to date has been one characterized by hecaneal incompetence, indecisive bungling and floundering mismanagement that relegates visionary promises into a vacuum of shallow platitudes. It relegates accountability to the level of mockery, distrust and betrayal.

Mr. Speaker, we have already noted the betrayal by government to have tax reform introduced to this sitting. We have testimony of further betrayal in yesterday's tabled report from the Standing Committee on Rules, Elections and Privileges and, in studying election commitments, there is a lack of specific correlation to considerations outlined in this speech.

While the Throne Speech, Mr. Speaker, addressed itself to the broad spectrum of Yukon autonomy and growth, I will echo the concern raised in the sub-amendment to which I am speaking.

Where is evidence of promised legislation or programs that will protect and help the urgent concern of Yukon consumers, respecting cost of living increases and employment statistics? However, Mr. Speaker, I respect the government's promised attention towards land claims, pipeline preparedness, and economic development. These priority issues dominated electioneering, and an identified responsibility exists to attend to these concerns.

Furthermore, I will be pleased to deal with a Territorial Government, for a change, on matters previously having required a campaign to Ottawa for action.

I am impressed with the very healthy intention of greater autonomous growth. But, again, Mr. Speaker, the nature of specific attention begs some answers.

What are your plans to deal with the present impasse in land claims negotiations? What effective and functional steps will ensure full and complementary participation and policing of pipeline impacts, without detriment to existing industrial employment and its infrastructure? What long-term planning strategies and consultative measures will precipitate the optimistic economic growth potential of Yukon?

All of these questions had general answers in the Throne Speech, Mr. Speaker, but what are the specific measures for achievement of these stated goals?

We prefer not to wait for the next tune of musical chairs for some answers.

Mr. Speaker, I am particularly concerned, and optimistically so, with the stated plans of government respecting economic growth. My riding represents perhaps only eight per cent of Yukon's population, but it represents a calculated 40 per cent of Yukon's economic base and I bring to this House a simple, but important message from the people of Faro. We are no longer a transplanted or misplaced southern suburb, but a vital and contributing and permanent Yukon community, entitled to full considerations and benefits thereby.

I would take this opportunity to compliment the Government in recently recognizing our educational needs, namely the priority consideration of the Faro School expansion.

Located in a prime mineral area, with guaranteed longevity, why is the Government not entertaining corridor resource development that capitalizes on existing infrastructures and on known and proven ore reserves, rather than entertaining outside industry requiring import of raw material?

Mr. Speaker, the recent property acquisition of Cyprus Anvil indicates and testifies the faith of the mining area in the area. Faro is guaranteed well past the year 2,000.

I submit that our responsibilities lie firstly in our own backyards.

Indications are that at least some consideration is directed accordingly in the stated growth plans, but that some Yukon communities, including my own, must accept lesser recreational, health and educational facilities than others, is a concern that must be predicated in any economic growth.

Yes, we need energy. We need a viable transportation grid and we need a thorough and consultive long-term resource development strategy.

What better time than now, in light of White Pass Railroad difficulties, to entertain expansion of the railroad from tidewater to where mining resource is located, extractable and refineable?

Are you investigating the potential of a smelter in the Pelly area and the necessary infrastructure and expansion to handle this?

Mr. Speaker, this House must address itself to the generalities of economic development, but, firstly, to Yukon, established interests and its residents.

In that context, Mr. Speaker, the philosophy of government must be to encourage resource industry and not stagnate its development by unnecessary bureaucratic machinery as a substitute for progressive, positive and intelligent decisions and actions.

I do not believe adequate encouragement exists directly towards mining, the cornerstone of Yukon economy. Yes, it is fine to say you support, but where is the commitment to provide the infrastructure for their survival? It is a government responsibility, under public scrutiny.

That, Mr. Speaker, leads to the undisputed responsibility of government to provide adequate public and social services, with inherent mechanism for the protection of those rights and privileges that we expect in a free society.

Mr. Speaker, monopolistic abuses, as alleged in the food industry, must be investigated. In fact, the whole gambit of consumer concerns, from utilities and land to public and private services, must be addressed immediately. It will be interesting to review budgetary estimates shortly to assess government's sincerity in these areas.

I will be particularly curious to witness the government's programs respecting education, in outlining educational developments. Has any consideration been given to a reopening of the educational ordinance, to enshrine these developments and, coincidentally, or concurrently, to correct the existing injustices in the system.

Herein lies the problem, perhaps, of the Throne Speech, its lack of specifics. Without a corresponding set of figures reflecting dollars and cents, it is difficult to gauge the real commitment of stated policy.

For example, with a potential of expansion in the Faro area by residential and industrial concerns, what provisions, monetarily, are there for assistance?

I have presently called for the Minister of Municipal and Community Affairs to investigate the excessively high cost of residential and commercial land in Faro. In recognition of the healthy growth climate for the community, present YTG policy not only hinders economic growth, but is seemingly engaging in land speculation and profiteering. Will the government address itself to correcting this situation, in light of Throne Speech commitments?

If accountability is to be the password for good government, then I am prepared to assist in whatever way possible to see that our present government attends the individual and public needs of Yukoners.

In closing, Mr. Speaker, I would like to compliment the government for a visionary and positive Throne Speech. My duty to my electorate is to raise its shortcomings and assess how well it can be carried out. Collectively, we will keep you informed, and that information now is to support the amendment as a reflection of those concerns not being dealt with by our present government.

Thank you, Mr. Speaker.

Mrs. McGuire: Mr. Speaker, I choose the following reply to the Speech from the Throne as my maiden speech, because I firmly believe in the equality of life, thus creating unity among people of all races.

Mr. Speaker, in reference to land claims and the memorandum of understanding, I am accusing the governing body of this Territory of entering into a land claims negotiating position without the legal consent of this Assembly, and without consultation with the native leaders of this Territory who are representatives of our native people.

You, too, are representatives of our native people, the electors, whom you promised to cherish, to support, should you be elected to your positions. If this is not so, why are the native people allowed to

vote for you?

Yet now you have entered into an agreement with the Government of Canada, without consulting with the native people with whom you supposedly represent.

I find the situation intolerable that our Minister of Indian and Northern Affairs has created further division of races in our own Yukon and we are accepting this without challenge.

Mr. Speaker, I do not condone some of the native leaders of this land, as they very well know, for their lack of understanding and response to YTG. Quite the contrary, they have been, at times, equally as guilty in not rectifying this deplorable situation.

Some feel that native leaders have lost sight of their search for pride and dignity through division and misunderstanding and you, the government of this Territory, have let political power struggling and deterioration of common sense override your main objective, responsible government for all Yukon people.

We do not believe in a two-government system, but if my memory serves me correctly, all parties believe in the rights of people with a legal claim. Your own government, in its party's resolution on land claims, promised to support the Indian people of Yukon to ensure that a just land claims settlement be resolved.

Therefore, Mr. Speaker, I question once again why is YTG sitting in as a negotiator with the Federal Government and not with the Indians? If the plan is for YTG to plan a takeover of native affairs, then the Territorial Government must sit down with the native people to plan this merger, without interference of and influence from the Federal Government of Canada.

Today, together, you can guarantee and implement that we, the people of Yukon, will keep our country's resources intact for the future.

Land claims, if you have the foresight to see it, will reap great benefits for Yukon. I am strongly suggesting that the Government of Yukon and native leaders open lines of communication and begin working together without delay so that each assume a stronger position in their dealing with Ottawa.

If the foregoing is not followed very soon, I can assure you that many, many of the common people, native and non-native will suffer greatly. Thank you.

Mr. Fleming: Yes, Mr. Speaker, unaccustomed as I am to making speeches, I do not intend to make one now or read one. However, I am going to support the amendments and the Motion that has been brought in here today. I wish to answer, and also possibly suggest, that the Speech from the Throne, as it is called, which is not in my book and actual speech from the throne, because I do not think we really can have that type of thing. On the first page of the Speech from the Throne, it indicates that now that we have a political party, and the leadership of elected leader, and so forth, for the first time, there have been some changes. I will admit there have been some changes, however, I would have liked those changes to come into effect in a different manner. I would have liked to have seen first, the Minister of Indian and Northern Affairs recognize this House as an actual government, in the Yukon Act, not through some Ministerial letter or voice as such, which has been, and is now, in effect, because in the past, this council was made up in just that manner, by Ministerial Order of the Minister, made up for just an experiment, at that time, and it is still an experiment. If you want to go back and dig it all up you will find that we do not really, in fact, have a government across from the opposition, if I may call ourselves the opposition. In actual fact, we are not a government. The Ministers are not in actuality a government.

There is not really a Speech from the Throne either, in that sense. However, it is here and I will say, that as Speeches from the Throne, I do not think anybody will ever write a book from Speeches from the Throne, even though they went back to 1887 and gathered them altogether, you could not write a book about them, because they are all the same. Everyone follows the last one. There is always a promise of this and a promise of that, and big things that can be done. The answer is never in the Speech from the Throne, it has to come from the House afterward.

On the second page we have a quotation, saying that the Commissioner be bound by the advise of the Executive Committee in many of the areas of the Yukon jurisdiction. This, as you know, is not something that is new to this House, because even though some of the Members who are not possibly on the government side even, but in this House and who are maybe new here might say that the last government, of which I was a part, in this House, did not do this, and did not do that, and did not do the things they should have. I will remember that this is one of the things that we definitely wanted done, that the Commissioner would be bound by the advise of the Council, even stronger than it is now.

So, I will not be saying that the Government in the past has never

done anything. I think that we, and the people who are were with me and the two members that are here now that are old timers too here, we did our job as best we could. I would only hope that in the future, that this government, and I am calling you "government", and I really should not be, you are merely the majority opinion in this House, is exactly what you are.

On the opening address, and in the past, usually we had the Budget before us, and we could get a little clearer picture into what the government actually intended to do in the next year by where they had put their money. It gave you a little idea.

This time, I find it very hard, it is easy to say, you are going to do things, but did you do anything constructive in the way of putting money into a different place than maybe marketing and tourism. They say that they are going to do something, but just what are they going to do? I have a hard time guessing, I am only hoping, that is all, just down here hoping. I would have liked to have seen the Budget, have a look in and see where the priorities came and where they are putting their money.

Because I agree, as was in the opening address this morning, by the government side, that we possibly are putting out thousands of dollars in one area to bring back a dollar in this territory. There are other ways to spend it, and I would hope later on, as I go on, that I may be able to help that cause a little, if the government listens.

As for the problems now, and still on page five, as a full and active participant, on the Federal negotiating team, and this is dealing with the Land Claims, I of course, have always had a very firm stand in the negotiation of Land Claims. I have voted in this House for papers that have been present by the government to us, stating their philosophy, and their policies and the way they would like to see Land Claims settled and I have voted for those, to the extent that the Federal government listened to that proposal, and negotiate in all fairness to the native people and ourselves. But I have always stood up and said, too, that I, myself, and I would hope that our government, or any political party, would not get their noses involved right into the claims themselves. I think that we can advise the Federal government, and that they should be able to do what we ask and come up with a fair settlement for the native people. They should also finish it once and for all, so that it does not continue on for the next 100 years. I do not even see the government pushing their way forward too much to get right into the negotiations, because as soon as you do, you start a confrontation. You are going to have a problem, it does not matter how you do it if you involve yourself in that way. If they came to you, the native people, or the native leaders came to us, said they wanted us to do that, it is an entirely different matter. But they have not said that, read the paper, listen to some of the higherups in the Indian area, and you will see that they do not say that. They do not ask us to get into the negotiations. They want to negotiate the claim. I think they want the same thing we do. However, they may ask for more than I think they should have, and more than you think they should have. Then our problem then is with Ottawa, because we put them there to do that job and we told them what we wished them to do, and if they do not do it our fight is with them.

I will show you a little later on, hopefully, where you are trying to step in and get involved with them and you are going to have a problem.

I go right along with the Speech from the Throne, on page 6, the top of the page, "settlement that will promote harmony and understanding rather than discordant bitterness. We shall be guided by this awareness and responsibility in negotiations." I agree with the first section of that. That section should promote harmony, but you are not going to have harmony if you argue from now until doomsday with the people who are supposed to settle the question. Ottawa should settle the question. They have been put there by the people of Canada to do just that, and by us and the native peoples.

I want to go into another area, but I think before I do, I will carry on with the native situation first and then go back to this page, because I want to explain why I feel that, in this Speech from the Throne, where they are willing and have been willing for some time, the government, to take over health services, and I am opposed to taking over health services, as many of the native peoples are. There are two bands in my riding. I have a letter here from the Minister of Human Resources, a copy of it was sent to those two bands, and they have rejected it. They also rejected meetings from this government to speak on it, and I must say, as I stand here, that I back them up wholeheartedly and I think a lot of my constituents will to, and probably all of them, because a federal government, in negotiating with anyone, do not negotiate to the benefit of anybody other than the federal government.

Politicians that have a job to do, such as our Minister, and I am speaking of Hugh Faulkner at the moment, who is the Federal Minister, not our ministers at home, do not negotiate any contracts

with anybody where he will have any problems, but he will negotiate and sign willingly, and have you sign a contract where you could have lots of problems. He would have no qualms whatsoever.

In this case, if you will read the contract a little carefully, of which I have a copy, here and I had a copy before when I was in Council, which I rejected at that time, and I reject this one now, too.

You will notice on page 2 of that contract that "Canada, having a concern for the health of the Indians of the Yukon Territory, wishes to guarantee that Indians continue to be provided with health care and hospital services equal in quality to the services provided to all residents of the Yukon Territory."

I wholeheartedly agree to that concept, but I will show you later on in the agreement where that concept can get us into a lot of trouble.

It goes on to say that they insure that the services delivered under paragraphs 1 and 2, where equal quality in extent, in other words, the contract is leading up to saying to the native people, we are definitely going to treat you as good or better than you were before.

Now, they have not said yet who is going to treat them yet, but they are going to see that this is done, under the contract.

They go on with their cost of private transportation shall be so and so and so and so, which is not the same as our is, it is a little different. However, I might not agree with that, but they must put it in the contract and I see it is here and designated as such. We know what it is. We are facing that problem. They want to give somebody 25 cents a mile and we only get 15, I think we have a right to maybe say to Ottawa, "No, we do not agree to that."

I certainly would not disapprove to our government saying that. If we are going to be one people, we will be one people and paid in one fashion. That is a definite thing they state, they are going to do that.

They are going to presumably provide this, but do not forget, as you go along through the contract, if you do exactly as you are supposed to do, but if you omit anything anywhere you will find that you will be in trouble.

They say they will supply, and of course and they will pay the Territorial Government for infractions and so forth and so on, but here is where they get to where the contract is a little vague and, as contracts usually are with the Federal Government, "for the services described in Section 1.4(b), 1.4(c), 1.4(d)," and you go on and on and on, you will have to check them yourself, I have checked them, "the portion that the Indian recipient is unable to pay and for the services described in" and so and so and so and so "the portion which the Indian recipient is unable to pay which may amount to..." now listen very carefully if you want to get a little advice when you sign this contract, if you do and I hope you do not, as it is written, "which may amount to one hundred per cent general delivery cost for all costs up to \$200, 75 per cent of cost for \$200", and they go on.

But they do not say anywhere, this is for dental. They do not say anywhere how many times they are going to supply \$200.

Is it one time, two times, one dental appointment might be \$200. The contract is a farce in that area. "...for the services described, that the Indian recipient is unable to pay". What type of a contract, an actual contract, is that?

I ask one of you today, if you were an Indian walking into an establishment for some of these services and they said to you, are you able to pay? If I happened to be them I would say, no, I am not able to pay, even though I had the money, but no, I am not able to pay.

Contract, that very famous contract, brought up over a year ago, when I took the Director of Health Services to Teslin, to the native band and he admitted in front of that band that they were pulling a farce on them with that very type of wording there. If you can pay we will get it from you, if you cannot, you are all right, Jack, go your way.

That is not a fair deal with anybody. That is trickery, bribery, and it is not a way to treat human beings. If they are working they pay, if they are drawing a certain amount of salary or something they pay. I will go along with that. Put it in plain language and say what it is. Do not start with this unable stuff type of thing, because we are going to get into trouble.

It goes on to say, towards the last, that "the Territory agrees to save harmless Canada against, and be responsible for all claims, demands, actions or suits whatsoever arising out of any act or omission of the Territory under this agreement". The word 'omission' is the end of you if you do not do exactly what the Minister tells you to do when he says now, which he may do. If you take over

health services next year, he may say to you, through a ministerial order again, the same thing as he said before, pass the buck to the Yukon Territory and say, now you are responsible for collecting and responsible for many of these other things and if you cannot collect somehow or other, from Joe because he says my pockets are empty, whether they are or not, you are not doing the job that the Minister said you were to do, which is to collect from them.

So, therefore, Canada will not pay for it. The Yukon Territorial Government will be paying for it.

Now, I am only saying the things that can happen. I am not saying it is happening today. It is happening in Medicare today. I asked this morning. That was an order passed down by the Minister, that the native people be included in our program, and pay Medicare whenever they were working, and our Government was to see that this went on.

It has not been done, I will say that. I could quote to you instances now and name parties and concerns that are not collecting and that the Indian department is paying for, and yet these people are working so therefore the tax dollar is coming from you and me to pay for those cases where they are working and drawing a good salary. But I do not blame the native person for saying, "Go on, Sally, I do not have to pay it," because there has been nothing, really, put down in writing in Ottawa that says that he has to pay it.

But when they say if you omit and do not do something that the Minister wants you to do, then you are breaking that contract and if you take over health services, you are going to find yourself in a boat that you cannot collect all the things that you think you can collect, for one reason, that there has been no law or change in the Indian Act that is really set down in Ottawa that this is the way that it will be. It is really the Minister talking through his mouth, which he has been doing quite often and nothing coming out of it.

That is exactly the way this government is set up, too, I will remind you once again. That is why you are not government.

If we intend to get along and have unity, co-operation from the native people in this Territory then we have to see that nobody steps in with any bribery like this stuff here in that contract and that they know exactly where they stand and that we know exactly where they stand and where we stand. We want to know exactly where Ottawa stands.

As I said before, page 8, where they are speaking about what they will be doing for the tourist industry, "(b) increasing resources devoted to the promotion and development of our tourism". That is a fine statement, I agree. I hope there is something behind that. I sincerely do hope that you have found a way to do something to promote the tourism, also to help the people that are promoting tourism, other than coming to them as you have in the past years, and I will say this against governments that have been in here, or what is supposedly government, for the past 20 years they have been saying this to us, that we should be sure that we give them exchange and we should be sure that we have our facilities so and so and we should be sure that our people that work for us treat them nicely, but does the government put their money where their mouth is, or our money where their mouth is?

They have not done very much to date. I know of only one situation where you can borrow a few thousand dollars to help the establishments and pay high interest on that money, too, because I know, I have been in the business.

When you do get that small loan that there is a possibility that you can get, you find the insurance company down your neck for so much money that you cannot afford to pay the interest on the loan, or the loan itself either, and does this government step in then?

That is what I would like to know from this government. I tried to get something out of the last one, and I will admit that we did not get much out of them there, but is this government prepared to step into insurance companies? I find that no government is prepared to step into any big organization. It has held pretty true. Multinational corporations, big business, we will do anything for you, in fact right now we had better get busy and see if we cannot get White Pass out of a bad situation. That is fine, I agree in some of the cases, but there is the little fellow that pays the bill at the bottom of the heap. When he voices his opinion to the government, there is not much stir in the higher ranks to see if they can help him.

I think that is where our government has gone in the last few years, and I am speaking now of our federal government, too, in the last few years. Whether it will change in this next election, whether it will not change, I could not say, because I do not trust too much in big politics.

You speak of power, and energy in the Yukon Territory. We know there is potential, a lot of potential in the Yukon Territory. It takes a long time to produce power that would really be of a big benefit to this Territory. All of a sudden we may find ourself, of course,

without that power. I agree that you should be looking into it, very strongly so.

But first, again, the same thing, we are talking about billions of dollars and multi-million dollar projects, big concerns. We have not thought of the little fellow who is paying his hydro bill today. He is the one.

We have a program, I know. You will say to yourself, what is he talking about, we have got a program that equalizes and this thing and helps him. It does. It helps me too much on one side.

In my home, I have no complaint about my power bill at all because I am being subsidized very strongly by taxpayers' money, or some taxpayers' money and the other is an income tax gadget that I really do not think too much of, but we are being subsidized in that case.

In the case of small business, I would like to ask this government, they want to help White Pass, they want to bring in Kaiser Aluminum, they are ready to go with these, are they concerned about the little fellow who is paying ten cents a kilowatt for power today? There is a difference of seven cents or so between Whitehorse and the outlying districts?

But because a big corporation, Yukon Electrical or whoever is doing all these big things, they are giving them the right to make ten per cent, and if I am wrong you can correct me. Ten per cent they are allowed to make, profit, that is net, not gross, in any station they have. I could see it if it was ten per cent in the whole operation and they would have an equal power rate across the Territory. I could see it.

When you allow them to go out to a little place where there are only 150 to 200-300 people and allow them to make the ten per cent there and everywhere else on their big operation, then you are creating a problem.

If you are going to get into the power situation, and I did hear from the Leader of the Party this morning that they had hoped to do something about it and I sincerely hope that you meant what you said, you are going to do something about it. I would hope that you equalize power across this Territory before you get the major projects going.

I know you all raise your eyebrows, especially if you come from the City of Whitehorse. It is an emotional problem with the people of Whitehorse. They are going to pay so much more than we, in the country, are going to pay. I say that is a bunch of baloney. If they just sit down and figure out the facts, there was a report in here at one time which proved it would not be that bad, if you worked it out.

I will tell you another reason and just think when you work out these problems--

Mr. Speaker: Order please. I am wondering, I notice that several of the last speakers have been not addressing their remarks through the Chair and it would be so much better if remarks could be put through the Chair.

Mr. Fleming: Yes, Mr. Speaker.

Mr. Speaker: Proceed.

Mr. Fleming: If the Government, Mr. Speaker, would address themselves to the problem properly, they would get themselves into a position to, as they are subsidizing the power anyway, equalize the power and subsidize. You cannot subsidize, Mr. Speaker, power, and more or less do it as a social system, when you are not charging the same price for it across the board. Their program is zilch, really, in the sense that everybody is not getting the same fair, square deal.

If you are going to go socialistic and do this thing, I will agree that it is a problem, power is something that is high cost and you must go socially with that and Medicare and hospitalization. These three things are the three things I have always said must go, Mr. Speaker, that way.

But, as I say again, you cannot have a proper equalization program unless you are charging the same amount everywhere for it all over the Territory. You cannot charge 19 cents in Teslin and four cents in Whitehorse and then try to have an equalization power program. Garbage.

Hopefully, this government will be doing that, will be looking into it. Hopefully they will carry on, and on page 10 they say they will continue to support the introduction of native language. I hope so. We have had the French language thrown down our throats for years. I was not in love with it by a long ways and I do not think a lot of other people were, but it was put to us by our government.

I think they have to do that. I think it is going to be a problem until such time as the land claims are settled. It will be a problem. No matter what you do somebody will oppose what you are trying to do. I will agree with that. It is a tough experiment. If you have to do

it, I hope that you can do it. I will give you every help I can. I certainly will not fight anything that is coming from the government that does try to help that problem along.

The efforts to expand our grade levels in our rural communities. There is a lot of feeling for that in the Territory. I know that. The feasibility of it, I am not going to go into detail, because I am not that well acquainted with it, but I will say that I have found it to be an item that people are talking about, and they are thinking along the lines that possibly our children should be at home until they are of a little older age, rather than be sent to schools that are not near their own area.

You go to page 11, the page that reflects back to the transfer of health service, which I spoke on, and I can only say again that I hope that you don't just step in and take it until such time as you have the agreement of the native people. There are 3,000 of them, I think, at least, or more than that, in Yukon, maybe more than 5,000 that might want that agreement. That is a good portion of Yukon. I would think that you would listen to them a little before you just step in and take over and then have the battle afterwards.

Mr. Speaker: Order, please. I am wondering if I could remind the Honourable Member one more time, that if he could direct his remarks through the chair. It would appear, of course, on the record, that those remarks are being directed personally to myself, but if the Honourable gentleman could direct his remarks more appropriately, I would receive them. Proceed.

Mr. Fleming: As for the tax situation, I have to agree that in the last election it was an election issue, not in my riding really, but I know in the Whitehorse ridings it was an election issue. There were a lot of promises made. I do not have to quote them, I do not think, because you all know them.

There was a request made here to get at it as soon as possible to see if something could not be done. Mr. Speaker, there has not been anything done to date. Hopefully, there may be something in the future, and Mr. Speaker, we cannot wait forever for the future, it is now that something needs to be done before it is too late.

So, with those comments, and as I say, I must say also, that the Speech from the Throne was something of a different nature than most Speeches to the Throne. Our Commissioner put a lot of her aspirations in it, her beliefs and ideas and I have to commend her for it in that respect.

All I can say is I will be here and hopefully the government of today, will take some of our remarks and I am assuring you that my remarks are coming from the grass roots level, if you want to know where they come from, right at the bottom of the heap. Maybe, it would be in order to listen a little and see if some changes could not be made.

With those remarks, Mr. Speaker, I think I will close. Thank you.

Hon. Mr. Graham: Mr. Speaker, I move that debate now be adjourned.

Hon. Mr. Lang: I second that.

Mr. Speaker: It has been moved by the Honourable Minister of Education, and seconded by the Honourable Minister of Municipal and Community Affairs that the debate be now adjourned.

Some Members: Division.

Mr. Speaker: Does the Chair have it that a division has been called?

Perhaps, I had neglected to take into account that Members did not have to rise under the old Standing Orders, so I will now call division.

Mr. Speaker: As it appears that all Members are in the House I will now ask Mr. Clerk to Poll the House. **Hon. Mr. Pearson:** Agreed.

Hon. Mr. Lang: Agreed.

Hon. Mr. Tracey: Agreed.

Hon. Mr. Njootil: Agreed.

Hon. Mr. Graham: Agreed.

Mr. Lattin: Agreed.

Dr. Hibberd: Agreed.

Mr. Falle: Agreed.

Mrs. McCall: Agreed.

Mr. Hanson: Agreed.

Hon. Mr. MacKay: Disagree.

Mrs. McGuire: Disagree.

Mr. Penikett: Disagree.

Mr. Byblow: Disagree.

Mr. Fleming: Disagree.

Mr. Clerk: The results, Mr. Speaker, are ten yea and five nay.

Mr. Speaker: I must declare that the motion has carried.

(Motion agreed to)

Mr. Speaker: At this time we will proceed on the Order Paper to Orders of the Day and begin with Motions.

ORDERS OF THE DAY

MOTIONS

Mr. Clerk: Item Number 1, standing in the name of the Honourable Mr. Graham.

Mr. Speaker: Is Honourable Member prepared to discuss Item 1 at this time?

Hon. Mr. Graham: I am, Mr. Speaker.

Mr. Speaker: It has been moved by the Honourable Member of Education, seconded by the Honourable Member from Whitehorse North Center, that the first report of the Standing Committee on Rules, Elections and Privileges be concurred in, and that Appendix One of this report be adopted effective March the 8th, 1979, as the Standing Orders of the Yukon Legislative Assembly.

Hon. Mr. Graham: Thank you Mr. Speaker. On December 14th, 1978, the Yukon Legislative Assembly instructed the Standing Committee on Rules, Elections and Privileges to undertake a complete review of the Standing Orders of the Yukon Legislative Assembly and report its findings for any amendments at commencement of the next sitting of the Assembly. The majority of amendments to Standing Orders are as a result of the changes brought about by the increase of the House to 16 Members and by the introduction of party politics to our Assembly.

Before I get into the outline of the more significant amendments, Mr. Speaker, I would like to address myself to some of the allegations made by the Honourable Member of Whitehorse West in this morning's sitting.

The Honourable Member and I had, as he indicated, agreed that a meeting would not be called before he returned from his holidays. At this time there seems to be some discrepancy between me and the Honourable Member, Mr. Speaker, over what length of time he was to be absent, but during the Honourable Member from Whitehorse West's absence, I was informed that the typing, printing and distribution of the proposed standing orders, which we had passed, would take a great deal more time than I had anticipated. I then, and I am certain that the Clerk did also, made every effort to contact the Honourable Member from Whitehorse West. Mr. Speaker, we had no success, whatsoever. It was with great regret, Mr. Speaker, that I then called another meeting of the Standing Committee, and this regret in part was due to the fact that the Honourable Member from Whitehorse West contributed a great deal to our meetings and I personally felt that his absence would be a great loss to the committee. Mr. Speaker, I find it very difficult to believe that the Honourable Member would not leave at least a forwarding address, where either the Clerk or I could contact him, in the event that something came up, such as what actually did. I think that the Honourable Member's problem could have been avoided Mr. Speaker, if he would have carried out his own responsibility and informed either myself, his Clerk or his colleagues of his whereabouts at the time.

We on this side of the House, Mr. Speaker, find it very difficult to believe that we should be in a position that we should have to babysit the Honourable Member. I am sure that in the future the Honourable Member will leave a forwarding address, and I hope that this situation does not occur again.

As for the comments attributed to the Honourable Leader of the Opposition, that the government turn down the Opposition requests with a great deal of glee, I believe it was, that statement is totally false. I think that if the Honourable Member had actually sat through the Committee meetings in their entirety he would have found that it was totally false, and I think that the Opposition Leader should give the Standing Committee on Rules, Elections and Privileges an apology for a statement such as that, if in fact he did make such a statement.

In fact, Mr. Speaker, in all cases where there was some disagreement between opposition members and government members on the Standing Committee, we attempted to reach a compromise solution, taking into consideration the opposition members' concern as well the Conservative party concern. But, Mr. Speaker, I am sure you have heard enough of these problems, so I will get back to the significant amendments, or amendments that I consider are significant to the Standing Orders.

First of all Mr. Speaker, we recommend that the hours of sitting be changed to the following: 1:30 to 5:30 p.m., Monday through

Thursday, and 7:30 to 9:30 p.m., Monday and Wednesday. These changes will enable government ministers to devote one half of the day to the routine business of their various departments and will also give both government and opposition parties an opportunity to hold caucus meetings in the morning before the house sits, and also I think that the new hours should enable a greater number of the working public to attend evening sessions.

As is becoming the accepted practice in other jurisdictions, the Committee recommended that Mr. Speaker's decisions are not subject to an immediate appeal in the House. Members still have recourse though, through a substantive motion, if they disagree with the ruling of the Speaker. The substantial changes in the Standing Orders, dealing with the Order of Business before the Assembly, reflects the presence of party politics in the House.

The Committee has attempted to accommodate the opposition party by setting aside alternate Wednesday afternoons for opposition business, and in fact, Mr. Speaker, should this report on the Standing Committee on Rules, Elections and Privileges be accepted by this Assembly, we are prepared to introduce Special Sessional Orders, which would allocate alternate Wednesday, first to opposition members and then to government private members.

With regard to the Speech from the Throne, Mr. Speaker, the Committee has recommended conforming with the rules of other assemblies. A traditional address, which has already taken place, will now be moved and amendments of non-confidence, however unlikely, Mr. Speaker, are now possible.

Standing Order Number 30, dealing with Notices of Motion, has also been revised. We propose a revision to require one clear days notice of a Motion before it may be debated. Therefore, if a Member gives notice on one day his Motion will appear on the Notice Paper the following day, and on the Order of Paper the day after that, at which time it may be debated.

This revision, Mr. Speaker, was introduced principally to allow the opposition members more time to prepare themselves to reply to government motions.

Tith the order of business before the Assembly-- I better skip that one, Mr. Speaker. I seem to have lost my place here, Mr. Speaker, so if you will bear with me for a moment--?

The next Standing Order that I feel was significant is that in all areas of disagreement between Members of the Standing Committee on Rules, Elections and Privileges, we have attempted, as I said before, to reach a compromise solution, to accommodate all parties concerned.

Mr. Speaker, I am certain, that after following the proposed Standing Orders in this Assembly for a period of time, if it is demonstrated through usage that certain of the Standing Orders did not meet the needs of some Members, then the Committee on Standing Rules, Elections and Privileges, would be pleased to review the Standing Orders and attempt to amend them to the satisfaction of all Members of this Assembly.

Mr. Speaker: Any further debate?

Hon. Mr. MacKay: Yes, Mr. Speaker, before debating specific issues involved in this report, I would like to explain to the House, my concept of the purpose of Standing Orders, which are in fact Parliamentary Law. It is a very serious matter we are engaged in now, setting new perimeters, and new rules, by which this House will be guided over the next few years. In spite of assurances the changes will be made. By and large, when the Standing Orders are in place they are quite difficult to change.

We appreciate the offer though, and if the need should arise, we shall certainly be taking advantage of any offer to change them. But, at the point of making massive changes, which these are, really massive changes, I think, it could have been expected, I thought, by a group who have a majority committee representing what is really an overwhelming majority in the House, that some generosity, some willingness to allow a latitude towards the Opposition. It would have appeared, and indeed it did initially appear to be that way. But the Standing Orders, as we are now faced with them, do not show any great generosity, Mr. Speaker. They do not protect, I feel, the minority in restraining the tyranny of a majority. There are a number of specific areas, philosophically, which I think are errors. My colleagues are probably going to deal with at more length, but particularly the one with respect to having to require a seconder for every motion. You know, there is at least two independent Members sitting across here, there is one Member who has been elected to represent the New Democratic Party. That Party polled 20 per cent of the votes.

The independents between them account, if they can lump all these independents together, account for some 17 per cent.

Now, these people may in fact have motions which they cannot

get support for from this side of the House, or they do not wish to compromise that motion in order to get that support, but are very legitimate concerns of their constituents, and they may not be able to get them on the floor, Mr. Speaker.

You know, we are moving into party politics, that is true, but there are still some vestiges here of the era before this, and I think some allowance could have been made for that.

With respect to the remarks and the request for an apology to the Standing Committee, I was there as a guest, and I appreciate the offer to be there, but in the face of an undiluted stream of repressive changes mined by the majority members, it was difficult to tell the difference between a smile and a smirk. I may have been feeling somewhat defensive at the end of it all.

There is one remaining area that I would like to talk about today. This report would have been different, had the Member from Whitehorse West been present, I am sure. That is the topic of the establishment of a public accounts committee.

This report should have had this recommendation in it. I would like to speak to that issue because I feel that this is a very important aspect of our work here, which has been omitted.

In the fiscal chain of actions initiated, Mr. Speaker, by government, the first is to raise taxes, the second is permission to spend that tax revenue on specified purposes, and, finally, to ensure that the money is spent properly.

That function, that the money is spent properly, is the final link in the chain. The chain is only as strong as its weakest link. We are totally weak in that area in this government.

Now, I did not need very much more ammunition, however, I was handed this morning the Auditor General's Report on this government's performance over the last year. Not this government, the previous government, the Territory. I do not think I want to get into too much detail on this because I am sure the opportunity will rise again, but let me say that if I was a recipient of this report, and I was a shareholder in a company and handed an auditor's report like this, I would sell my shares.

I do not think the taxpayers can leave the Territory. I hope they will not because of this, but I am sure--

Mr. Speaker: Order, order, please. I do believe the Honourable Member is digressing from the subject under debate.

Hon. Mr. MacKay: Very well. Let me say that we do have no Territorial Auditor General resident here. We have a Canadian Auditor General. We have no internal auditor in the government at the present time, and we have no public accounts committee. Who is looking after all the money?

I think that we vote it here and then it gets spent and nobody cares after that. We need a public accounts committee. Legislators have actually very few ways to scrutinize how the money is spent. We see a budget. That is the future expenditures.

If we aspire to more responsible government, and I think we all do, then we must start by taking the responsibility for the taxpayers' money and the way it is spent or the way it is misspent.

The objective of the public accounts committee is that for one, to insure that the money is spent as this Assembly intended. Two, to ensure the exercise of due economy and, three, to maintain high standards of public morality in all financial matters.

To go back in history, Prime Minister Gladstone, in Britain, in 1866, stated it was not until the establishment of a public accounts committee that it could be fairly said that the office of this House as a real authoritative steward of public monies has been discharged. That was over 100 years ago. I think it is almost time Yukon caught up.

The organization of this committee, would I suggest, Mr. Speaker, comes under this Section 45.1 of Standing Orders. I would suggest that there should be five members on that committee. I think it should be clearly understood, in spite of a day of rather partisan talk, I think it should be clearly understood that the function of a public accounts committee would be non-partisan. It would be an approach to a common problem. A problem which we all share, how to control government expenditures.

Indeed, this could be assured if a member from the Opposition was made chairman of the committee and the majority of the members were from the government side. That way, the subjects discussed would be of interest, but there would be no way in which the Opposition could determine the outcome on their own.

This is the way, in fact, which the public accounts committee works in the Canadian parliament and four provinces.

The work of the committee would be a focus of public attention upon the spending arm of government. It is a very necessary function in today's rampant government expenditures. We can

rest assured that the departments and agencies of this government will smarten up their practices just at the thought of being exposed to a public accounts committee.

Sir Ivor Jennings stated in his work, "Parliament", "There is ground for believing that the spending practices of government stand more in awe of the public accounts committee than they do of the House itself."

To sum up, the public accounts committee would be an effective weapon of public scrutiny over the public purse. A non-partisan approach to a common problem and the means of creating that final link to a chain of public accountability, the lack of which reduces the other parts for prudent budgets and taxes to a farce.

Mr. Speaker, it is time that Yukon assumed its responsibility to form such a committee since, except for Newfoundland, every other province and jurisdiction has it.

Mr. Speaker: Is there any further debate?

Mrs. McGuire: Mr. Speaker, I place my firm rejection on the newly revised Standing Orders, one of the reasons being is the lack of competence placed on the Opposition Committee Members by this government.

Mr. Speaker, I personally feel that it is a waste of time and money for Opposition Members to sit on this Committee, making recommendations and changes for the betterment of all the Legislative Assembly Members, only to have them thrown out in their final stages of preparation by this government.

Mr. Speaker: Any further debate.

Mr. Fleming: Yes, Mr. Speaker, I will have to rise in opposition to this motion. I would hope that the Committee, Mr. Speaker, would probably take it back for a little further study, I think, about a few of the things they have.

The areas that bother me, and are my concern, start with 8 of page 8. "On Ministerial Statements, as listed in suborder (2) of this Standing Order, a Minister may make a short factual statement of government policy." Then it says, "A spokesman for each of the parties in opposition to the government may comment thereon for not more than five minutes and a government spokesman may then give a five minute reply."

Mr. Speaker, I do not quite get the clarification of that, when they say, "the parties in opposition and a spokesman for the parties in opposition", due to the fact there are two independents on this side.

If I had some clarification, that might, might be all right, that one. I am just saying that I do not really agree with the wording of it, if it is as I take it, that we would actually have no right to answer that ministerial statement, because, in this House once or twice already it has been said that the opposition is actually the Official Opposition, the parties and I consider us, the member on my right and myself as opposition, too, but whether that means just exactly what it says or not, I do not know.

There was a question of five questions on the Order Paper. That well may constitute a problem if the government did not answer your questions within a reasonable period of time, because they could very well have five questions on the Order Paper within a day or two after we are here, from some member, and if they chose to hold off as long as possible on those answers, which are written answers, of course, he would be jeopardized to the effect that he could not have anymore written questions to the government.

These written questions are, sometimes, of a benefit to a member, because you have an answer in writing that you can show your constituents that you have done that. Otherwise, you have to go to Hansard, dig up the page, show them where you did what you did and so forth and so on, which to me, is not a very good system.

Now, another one is on page 28, 46. (2), "No special committee shall consist of more than seven members without the consent of the Assembly and such consent shall not be moved for without notice."

Now, I think I have a fair idea of what some special committees can do in a House, where you get over half of the House into a committee. I would hope that that would never happen in this House again. It has at one time in the past, but I would like some clarification on "no special committee shall consist of seven members without the consent..." Why would they wish to even have any committee that would be possibly over half of this House? Or there would be a committee of all of the government, which they have already. They do not need a committee for that type of thing. They have one, they have the majority. That concerns me.

Those are my main concerns, and I know there are some members that have others.

I think that was the last one, Mr. Speaker, that I had. I thought I had one more. Oh, yes, there is one more, a seconder to a motion.

In this House, as you know, there is one member who is alone in his party and, possibly, may have something that his constituents feel strongly about, and possibly all of us may not feel just that way about it, but, we must remember that we are not the only ones in Yukon and he was voted in by a group of people that should have a right to have a say, in some cases. A motion put forward is only something to be debated and decided upon. It is not a fact of life yet, until it is finished.

So, therefore, I feel that a member should have a right. If he has to have a seconder there is a possibility that he may not get that right to put his motion forward that his constituents all wish he should have, and in the change they have said that you will have a seconder.

Those are my main concerns, Mr. Speaker.

Mr. Speaker: Any further debate?

Mr. Byblow: Mr. Speaker, I rise in rejection of acceptance of this report on the Standing Committee of Rules, Elections and Privileges, primarily on the basis that, as presented, an effective throttling of an important and necessary opposition would result.

Mr. Speaker, I was not a member of the Committee, but I attended various portions of the meetings as an observer. It appeared to me also that initially a compatible and working relationship was established and that genuine respect in debate was observed, and compromising final versions of various rules was reached.

But, Mr. Speaker, the document tabled Wednesday undermines the trust established early in the committee proceedings. As the Honourable Member for Whitehorse Riverdale South related this morning, the committee reneged on a commitment to the aforementioned Member, but, in the process has tabled a document that limits the elected members in opposition to effectively carry out their mandate.

Various speakers before me have articulated various oppositions respecting the rules. My particular concern relates to the former Standing Order Number 11, presently in Chapter 2. Not only are the Ministerial Statements taking precedence over private members' questions, but as an independent member, I would be denied reply to such a ministerial statement.

I quote from Page 8 of the Standing Order document, item 8, "On Ministerial Statements as listed in suborder (2) of the Standing Order, a minister may make a short factual statement of government policy. A spokesman for each of the parties in opposition to the government may comment thereon for not more than five minutes and...subsequent reply".

It would appear to me that, as an Independent, I am being denied my response to a ministerial statement.

Mr. Speaker, I consider questions that I pose on behalf of my electorate more important than ministerial statements, because I am their only elected avenue to this public forum.

Ministers have adequate opportunity at their disposal to articulate their portfolio obligations and I am relegated to only one recourse at the end of the daily routine?

If the provisions, through alternate Wednesday opposition business is to suffice opposition needs, in the eyes of government, that amounts to, if equally distributed, less than fifteen minutes per member per week, my chances, as an Independent, to make it on the Order Paper are pretty slim and would only be determined by the generosity and humanity of my Opposition colleagues, when it should be government.

The requirement of a seconder to motions is another retrograde move that has already been commented on. Again, as an Independent, I am forced into collusion and compromise. It leaves me incompensated in this House to present motions. Equal rights? Hardly.

These rules would be a democratic injustice, Mr. Speaker. A choker on the voice of opposition in this House.

I am fearful, Mr. Speaker., If permitted, the rampant abuses spelled out in this document, Yukon will suffer because some of its constituencies, ridings, will not be allowed adequate representation.

Mr. Speaker, I appeal to this House that the report from the Standing Committee on Rules, Elections and Privileges be sent back to the committee in order that these opposition members' concerns may be entertained.

Mr. Speaker: Is there any further debate?

Mr. Penikett: Mr. Speaker, when television first came to Dawson City, I went out one Saturday night to a cabin of an old friend of mine to watch Hockey Night in Canada. In the middle of the third period, the cabin began to get cold so my friend got up to go and get

some wood. On his way out, he turned the television off. When he came back he turned the set on again and I asked him why he did that. I did not want to miss anything, he explained.

My friend, a good true blue Tory, was shocked to find that Montreal had scored a goal while he was out of the room. Naturally, I, too, was surprised that I had missed something very important on January 31st. I thought that the committee meeting was off. Apparently, like the hockey game, it was on, without my ever knowing.

In fact, I think I feel like I do sometimes when I am watching CBC television. The government is saying to the opposition, we talk, you listen.

Earlier today, I objected to the means by which this report came to the House. Now, I would like to deal with the ways in which the acceptance of these recommendations, what I feel cripple the Opposition and thereby impinge on the ability of this Opposition to carry out its necessary duties to the people of Yukon.

Mr. Speaker, I would like very, very much to have supported the Report of the Standing Committee. Had the work of the January 9th meeting not been undone on January 31st, this report would have received my wholehearted support. Reflecting as it might have done, the solid results of a non-partisan and reasonable exchange of views in the committee.

As it now stands, Mr. Speaker, the Oppositions contribution has been expunged, struck from the records as if it did not exist, as if our words were nothing more than whispers in the winds.

Mr. Speaker, we were all elected to this House on certain assumptions about the rules of this place, including the hours of sitting.

On January 9th, the Standing Committee agreed that we should sit Tuesday and Wednesday evenings. On January 31st, they played a great practical joke and rescinded this decision on Standing Order 2 because it would somewhat inconvenience an Opposition member who had to attend the meetings of Whitehorse City Council every Monday night.

With Standing Order 6, the Conservative Party, I submit, wants it both ways. A few months ago, as a matter of fact it was just a few days ago, the Conservative Member of Parliament for Yukon was on his feet in the House of Commons, loudly denouncing the Liberal Government for revoking the right of appeal to Speaker's rulings. But, back home in Yukon, the Tories want to do the very thing for which their federal member castigates the Liberals.

The Opposition proposed, and the Conservatives on the Standing Committee, accepted, a slight change to Standing Order 11 on January 9th. On January 31st they reneged on their agreement and once again gave Ministerial Statements priority over Question Period.

On January 9th, the Majority representatives on the committee conceded that the limit on the number of order paper questions was unfair to the Opposition. On January 31st, they again reversed their previous decision, this time with Standing Order 32, and reduced our rights to information from the Government. It kind of makes you wonder what they have to hide.

Mr. Speaker, on January 9th, the Tories were magnanimous. They adopted the rule from Conservative Alberta, which eliminated the requirement for seconders to motions. As many members know, Mr. Speaker, the Opposition in Alberta is very small, too. One of the things the government sensibly there did was remove the requirement of seconders because they quite rightly, fairly and properly saw it as inhibiting the ability of the Opposition members to do their job.

But, Mr. Speaker, on January 31st, they reversed still another decision and, in so doing, decided that the Independent and New Democratic Party Members of this House should not be allowed to present motions to this Assembly. Such a move could effectively limit a lone member's choice of debate to what the government wants debated.

In one small minded and, I submit, selfish stroke, Mr. Speaker, they reduced us to second class MLA's with less than equal rights to every other member of the House.

On January 9th, the Opposition persuaded the Government members of the committee that, if they were serious about constitutional development and financial control of Yukon Government expenditures by this body, they should create a Public Accounts Committee, similar to that in Ottawa and all Provincial Capitals.

January 31st, again, they came back and admitted that they really were not interested in development of this foundation of responsible government and banished the idea from the Committee's report. But, Mr. Speaker, I am very pleased to see that some

Members on the other side of the House have decided to resurrect the idea and we may yet see the introduction of this noble institution. I only wish that it could have been back, in fact, in part of the Committee's report, on January 31st, and since, Mr. Speaker, only one vote was needed to delete that from the report, I think that it was unfortunate again that the meeting was called in the manner in which it was. To that I am referring to, and I persist in believing this, the breach of faith with one of the opposition Members. January 31st, Mr. Speaker, I believe was a sad day for the Committee, because this is the Committee responsible for protecting, and looking after, the privileges and rights of the Members of this House. For that Committee to even have appeared to have done something which colours our rights, I think is a very sad thing. It is sad, January 31st, and sadder still for this House and the people of the Yukon who voted for a majority and an opposition, both of which are a necessary part of the usually democratic system under which we live.

Mr. Speaker, the adoption of these rules would be an instrument of terror. A little cage in which to lock up the opposition, a cute little muzzle to silence the critics of the majority party. The majority, a majority, Mr. Speaker, of eleven Members representing merely 37 per cent of the Yukon electors. Mr. Speaker, the parties on this side of the House were endorsed by 63 per cent of the electorate, but we are now to suffer for 4 more years, it appears, under severe, regressive limits imposed on us by the representatives of one-third of Yukon voters.

So much, Mr. Speaker, for Conservative rhetoric about justice, and so much for Conservative rhetoric about equity. To the Tories, Mr. Speaker, obviously these are words, merely words, words they do not even understand. Why do they do this? Are they scared of this tiny group of people, less than half their numbers, who have faced them across the floor of the House? Have they no confidence, Mr. Speaker, in their mandate to govern? Do they lack the fortitude of their Members' ability to move their legislative program through this House under reasonable rules? Where is this grand Tory vision for the future? Where is the promise? Where is the courage of their numbers? We are reasonable people, Mr. Speaker, on this side of the House. We will support good legislation, and if they would commit us to, we would contribute enormously to the important business that faces Yukon in the next four years. What with pipeline and Land Claims and responsible government in the years ahead, in all humility, we dare say they need us.

The people of Yukon need us. We act as their critics of the government, we face their government for them in this House.

I would like to quote something, Mr. Speaker, "The opposition's role is to induce the government to do better, when they only do well, and to condemn them when they do not properly fulfill the responsibilities that are bestowed upon them. Democracy is the better for it." That was a quote, Mr. Speaker, to which I may add, democracy would be nothing without it. The remark was made by Mr. Claude Wagner, during the time he was a Conservative Member of Parliament.

I only wish that his fellow Conservatives here in Yukon, felt the same way he did about the role of the opposition.

The Conservatives across the floor from me, Mr. Speaker, are, as individuals, wonderful human beings. They are not perfect, no government is. That is why we need an opposition, a loud and effective opposition. We are prepared to offer our advice, our opinions, whatever wisdom we have at our disposal, but now the Tories are saying no. They want to lock our doors to the House, shutter the windows through which we gaze upon the government. They will put up a sign which reads, "Opposition Members use rear entrance".

Mr. Speaker, if we have to use the back way, we are unwelcome visitors in this House. We can be expected to act accordingly.

If we have to become gate-crashers, I am afraid everybody will have to watch out. These rules, Mr. Speaker, are not rules for a democratic legislature, they are regulations on the opposition. If, in the next four years, we, on this side of the House, learn to play with the Tory rules, just watch, I do not doubt that they will change them again.

Mr. Speaker, I am very concerned with this, and I want to conclude by saying that out of respect for this House, from my faith in the democratic process and the essential good nature of people, most important of all, devotion to the people of Yukon, I want to move, seconded by the Honourable Member of Riverdale South, this report of the Standing Committee on Rules, Elections and Privilege, be referred back to the Committee, with instructions to reconsider the proposed Standing Orders 2, 5, 11, 24, 28, 32, and 45, with regard to Public Accounts Committee.

Thank you, Mr. Speaker.

Hon. Mr. Lang: Point of Order. There is a resolution of the floor of the House at the present time.

Mr. Penikett: On the same Point of Order, it is a procedural motion of reference back to the Committee, Mr. Speaker.

Mr. Speaker: This motion is quite in order, I must say. It has been moved, by the Honourable Member of Whitehorse West, seconded by the Honourable Member of Riverdale South, that the Report of the Standing Committee on Rules, Elections, and Privileges, be referred back to the Committee with instructions to reconsider the proposed Standing Orders 2, 5, 11, 24, 28, 32, and 45, with regard to a Public Accounts Committee.

Mr. Speaker: Debate upon this Motion of Recommittal.

Mr. Penikett: Mr. Speaker, sorry, this is a Point of Order, I understand it is a non-debatable Motion is it not, as a reference Motion.

Mr. Speaker: Perhaps you are correct, as the Chair had no prior knowledge of this, so has not given it too great of consideration. However, are you prepared for the question?

Some Members: Division.

Mr. Speaker: Division has been called. I shall sound the bells. Mr. Clerk, would you kindly poll the House at this time?

Hon. Mr. Pearson: Disagree.

Mrs. McCall: Disagree.

Hon. Mr. Lang: Disagree.

Mr. Hanson: Disagree.

Hon. Mr. Tracey: Disagree.

Hon. Mr. MacKay: Agreed.

Hon. Mr. Graham: Disagree.

Mrs. McGuire: Agreed.

Hon. Mr. Njootil: Disagree.

Mr. Penikett: Agreed.

Mr. Lattin: Disagree.

Mr. Byblow: Agreed.

Dr. Hibberd: Disagree.

Mr. Fleming: Agreed.

Mr. Falle: Disagree.

Mr. Clerk: Mr. Speaker, the results of division on the Motion of Recommittal: 5 yea, 10 nay.

(Motion defeated)

Mr. Speaker: Are you prepared for question on the main Motion.

Mr. Hibberd: Mr. Speaker, before we go on to the vote on this Motion I thought perhaps that I could offer a few comments to the House. It would appear that on our first full day of debating, I think the ballon has gone up. We are going to hear this kind of constant complaining from the opposition for 4 years. They are going persecuted, they are going to use every opportunity to make it sound like that. I would like to point out that there are only two of the amendments that are changes from the old ones. They were there before, they were accepted before, and yet you could not accept them. In addition, the section about ministerial statements, in the past, there have been the opportunities to have ministerial statements without any opportunity to reply. Now you are given some opportunity.

Mr. Speaker: Order please, would the Honourable Member please address his remarks to the Chair?

Dr. Hibberd: Comments have been made about seconders of Motions. It would appear to me that anyone who has a genuine concern on behalf of the voters in his constituency would have no trouble in getting support to have that view aired. Indeed, even if a person opposed to it, in all conscience, want to see it aired, would have no trouble supporting it.

I would also like to point out, Mr. Speaker, that the right of appeal, although it is in some limited forms, still exists, for the Members. I am referring, of course, to the Speakers ruling. I would have one suggestion, Mr. Speaker, that perhaps, because a lot of these rule changes are new and they have not as yet been tried out in the House, and their maybe problems which would arise, it maybe appropriate that after they have had a time to work them, perhaps after this Session or another Session, the Committee could have another look at it and see how they are working. In the meantime they should have an opportunity to see how they do working.

Hon. Mr. Lang: Mr. Speaker, with respect to the report that is before us now. I find it ludicrous, the comments that have been made by the opposition, and especially the leader of the opposition, in respect to the way in which the Members of this Committee have handled the Rules of this House. It has been a very serious topic of discussion any time that we have been in the confines of the Committee room. If the Honourable Member had stayed a little longer he would have realized it. I would further like to point out Mr. Speaker, that I take exception to any Member in this House referring to the fact that we are laughing at the prerogatives of any other Member. If I recall correctly, Mr. Speaker, in respect to the changes, from Tuesday night to Monday night, when the argument was put forward that it would be better to have a full day on Monday after a fresh weekend, rather than combining the two

days, Tuesday and Wednesday, we would have a better day of Debate, rather than having two full long days in succession. I would also like to further point out, Mr. Speaker, I did not attend the first meeting, and I did not notice any Member asking me for an adjournment of the Committee, since I was not there. I assumed, and I had enough confidence in my fellow colleagues, that they would go about their deliberations and do it well. I would also like to point out, Mr. Speaker, that the questions in respect to the five question on the Order Paper, was done there by the government to say, look, let us go with this idea for now with five questions on the Order Paper for a Member, because they will put the pressure on the government to come up with the answers and expedite the matters of this House.

So, therefore, that particular rule was retained in order to expedite government's business and put the pressure not only on the Minister, but also on the departments to come up with the answers that the members have asked questions of.

I should also like to point out, Mr. Speaker, that I feel very strongly that the Rules, Elections and Privileges Committee has acted wisely. None of these rules are cast in stone. We can review them as time goes on.

Reiterating in respect to the seconder of a motion: as one knows, just because one seconds a motion, it does not necessarily mean they support it. It gives a vehicle for someone to air an issue on the floor of the House, as my colleague from Whitehorse South Centre has said.

So, Mr. Speaker, I think that the attitude portrayed by the members across the floor, I think they have been very irresponsible and one thing I cannot condone, as a member of this House, the accusations against the chairman of this committee. I believe he has acted in all good faith. He has tried to expedite the matters for the Assembly's deliberation and I do not think that his character should be alluded to, such as has been done by the Member from Whitehorse West.

Mr. Speaker: Is there any further debate?

Hon. Mr. Graham: Mr. Speaker, in closing, I just might say that I, too, am quite concerned to hear the concerns by all five Members of the Opposition. All of these Members did attend our final meeting at some time or another, with the exception of Mr. Penikett, and, at the final sitting of our standing committee, I did not hear many of the concerns that they are expressing here in the House today.

I do not know if they have gone away and decided after these meetings that they should be concerned about the Standing Orders, but, you know, I am very disappointed that they did not bring up these concerns at the committee meetings where they could have been discussed and perhaps some other decisions might have been made.

I am also very pleased to hear from the Honourable Member from Whitehorse West, Mr. Speaker, that there are reasonable people on this side of the House, that is very reassuring. I just wonder why he does not seem to believe that there are also reasonable people on this side of the House, Mr. Speaker.

I also notice that in many of the objectionable Standing Orders, he used the prefix in all cases, these Standing Orders could stifle debate, and, I am sure, Mr. Speaker, knowing the Members on this side of House, and knowing that they are very reasonable people, I am sure that the Honourable Member from Whitehorse West's concerns will be definitely put aside in the next upcoming Sessions.

Thank you, Mr. Speaker.

Mr. Speaker: The Honourable Member, having twice spoken, has now closed debate.

Some Members: Division.

Mr. Speaker: Division has been called. The bells will be rung.

It would appear that all Members are in the House. Mr. Clerk, would you kindly poll the House at this time.

Hon. Mr. Pearson: Agreed.

Mrs. McCall: Agreed.

Hon. Mr. Lang: Agreed.

Mr. Hanson: Agreed.

Hon. Mr. Tracey: Agreed.

Hon. Mr. MacKay: Disagree.

Hon. Mr. Graham: Agreed.

Mrs. McGuire: Disagree.

Hon. Mr. Njootil: Agreed.

Mr. Penikett: Disagree.

Mr. Lattin: Agreed.

Mr. Byblow: Disagree.

Mr. Hibberd: Agreed.

Mr. Fleming: Disagree.

Mr. Falle: Agreed.

Mr. Clerk: Mr. Speaker, the results are ten yea, five nay.

(Motion agreed to)

Mr. Speaker: I think, at this time, it would be appropriate to take a recess. I shall stand the house in recess for fifteen minutes.

(Recess)

Mr. Speaker: I will now call the House to Order.

We will now proceed further with Motions.

Mr. Clerk: Item Number 2, standing in the name of Mr. Lattin.

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

Mr. Lattin: Yes.

Mr. Speaker: It has been moved by the Honourable Member of Whitehorse North Center, seconded by the Honourable Member of Education, that the Standing Committee on Rules, Elections, and Privileges consider and make recommendation to the Yukon Legislative Assembly on: (1) The advisability of establishing a Standing Committee on Public Accounts, and (2) the salaries, indemnities and allowances of Members of the Yukon Legislative Assembly, including those of the Speaker, Deputy Speaker, and Members of the Executive Committee.

Mr Lattin: Mr. Speaker, in support of this Motion, we had some discussion in Committee on it. However, we did not have enough information and decided that we should get more facts on it. Also, we did not have a mandate from the House to proceed with it, so we decided to bring it back in the form of a motion and ask the House to set up this Committee.

I believe that there is a great deal of merit in a Standing Committee of Public Accounts and it is an accepted Committee in all other Legislative Assemblies; therefore, I believe that it is a step forward for this House to establish a Standing Committee.

Mr. Speaker: Any further debate.

Mr. Penikett: Very briefly, Mr. Speaker, I just want to say that I would be more than pleased to support this motion. As a Member of the Standing Committee on Rules, Elections and Privileges who first suggested this idea, I am absolutely committed to seeing it through to development. I am sure the discussions will be very fruitful and I enthusiastically support this motion.

Hon. Mr. MacKay: I just happen to have a speech, by some coincidence. Hopefully, my speech has said everything that I would like to say in favour of that, and I will support this motion. There is a second part to it as well, and I think that with respect to reviewing the salaries and indemnities of this House, that is due as well. I shall look forward to hearing the Committees report on that.

Hon. Mr. Lang: Mr. Speaker, I will look forward to meeting the member from Whitehorse West at committee meetings and I trust that he will make himself available at all times when the Chairman calls the meetings.

Further, I would like to point out, Mr. Speaker, during the day we have been listening to the Opposition giving, in most cases, constructive criticism, but, at the same time, giving the impression that there is a great deal of distrust towards decisions that are being made or will be made. I would like to point out that the concept of a standing committee on public accounts, which has been pressed for in the committee, was brought forward by the Opposition during verbal conversation. We have just received materials to examine this particular area so I am sure that the Opposition, especially the leader of the Opposition, would agree that he would not want us to take his word totally on a subject of this matter, but he would like us to study it in totality.

Mr. Speaker: Is there any further debate.

Mr. Byblow: I would fully concur with the previous member's comments, with respect to support of the Bill. Certainly the letter tabled this morning from the Auditor General amplifies the need for such a committee and, in recognition of the comments made by the leader of the Opposition in an earlier speech, we are certainly waiting for such a committee to report.

Mr. Speaker: Any further debate?

(Motion agreed to)

Mr. Clerk: Item Number 3, standing in the name of the Honourable Mr. Pearson.

Mr. Speaker: Is the Honourable Member prepared to discuss Item 3 at this time?

Hon. Mr. Pearson: No, Mr. Speaker, next sitting day, please.

Mr. Speaker: So ordered.

We will now proceed then to Public Bills.

PUBLIC BILLS

Mr. Clerk: Bill Number 1, standing in the name of Mr. Pearson.

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

Bill Number 1.

Hon. Mr. Pearson: Next sitting day, please, Mr. Speaker.

Mr. Speaker: So ordered.

Mr. Clerk: Bill Number 9, standing in the name of the Honourable Mr. Pearson.

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

Hon. Mr. Pearson: Next sitting day, please, Mr. Speaker.

Mr. Speaker: So ordered.

May I have your further pleasure at this time?

Mr. Falle: Mr. Speaker, I now would like to call it 5 o'clock.

Mr. Speaker: Is there a seconder?

Mr. Hanson: I second that.

Mr. Speaker: It has been moved by the Honourable Member from Hootalinqua, seconded by the Honourable Member from Mayo that we do now call it 5 o'clock.

(Motion agreed to)

Mr. Speaker: This House now stands adjourned until 1:30 p.m. tomorrow.

(Adjourned)

The following Sessional Papers were tabled on March 6, 1979:

9-2-1

Speech from the Throne

79-2-2

First Report of the Standing Committee on Rules, Elections and Privileges

The following Sessional Papers were tabled on March 7, 1979:

9-2-3

Yukon Public Service Staff Relations Board Eighth Annual Report 1977-78

79-2-4

Yukon Workmen's Compensation Fund (Fifth) Annual Report for the Year ended December 31, 1977

79-2-5

Commissioner's Annual Report April 1, 1977 to March 31, 1978

79-2-6

The Yukon Liquor Corporation First Annual Report for the year ended March 31, 1978

79-2-7

Government of Yukon Territorial Accounts Fiscal Year 1977-78

79-2-8

Correspondence to Mrs. Ione Christensen, Commissioner, from J. Hugh Faulkner, Minister, Indian and Northern Affairs re: Terms of Reference

79-2-9

Auditor General's Report for the year ended March 31, 1978