The Yukon Legislative Assembly

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".

Published under the authority of the Speaker of the Legislative Assembly by the Queen's Printer for Yukon.
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 Parr, 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, former 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 matter, 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 Chair, 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 this House, the Government of the Majority is confirmed 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 disfigure their glue in shifting 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 this law have always been kept steadily in view by the Canadian Parliament: these are: To protect a minority and restrain the imprudence 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 outrageous abuse.

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 Majority 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 site annotation 607(2) of the Fifth Edition of Beauchesne which states, I quote, “There is no appeal to the House from the Chair’s ruling, except by way of a report from the Committee.”

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 14th, 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 inequalities 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 Ordinances, 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 a 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-
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 party convention that his Party held in September, 1976, it was resolved that the would request the Executive Committee to consider contesting the COPE Agreement, the Committee for Original People's Entitlement 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, do not believe had a chance to meet formally and come to joint conclusions, nor did they have the 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 White Pass and Yukon Railway?

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 and Yukon Railway, as I set 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 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 new 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.

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. Some time 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 to 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 by 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 forthcoming through those Federal programs to fix up 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 and everywhere, but, as far as I could find out, nobody seems to know the exact ownership. Could he divulge the exact ownership of the 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 overcrowded, but the whole complex 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 and I can only rely on 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 Members.

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 asesses 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 December 15, 1983, 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 Senate 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
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 Cantwell 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 Grants. Mr. Speaker, I am referring 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 it be possible for the Minister to table the recipients who 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 was 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 other circumstances, the paycheques may be talched out of 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 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 Human 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. Bylow: 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 action 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. Bylow: 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. Bylow: Would the government be prepared to table the terms of reference under which these decisions 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.

Mr. Hiebert: 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 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 eliciting 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 all 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, if followed out, that these already exist, 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 dependent on the mining industry and mines are closing but there are no new mines being developed. We are told there are ore bodies that are now there. If they are not being worked but there are no new mines being developed. We are told there is a demand for increased government services, and, on the other hand to the private sector. The government should also function in the area of energy during that period.

It is a tradition that has been handed down to us as a precious heritage, 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 from arbitrary arrest exists in this country, indeed, that it should be implemented as quickly as possible.

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, that freedom of speech 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 the tradition of being 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 the more 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, where I 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 the more 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, where I have, on each side of the House, divergent points of view that are supported by platforms that have been prepared in advance.
platitude. The time has come for some real negotiations to occur. The time, for any more platitudes. A fair and just land claims settlement for all Yukoners is, at this stage in the proceedings, a priority. My concern is that I do not think that this is the stage, or the time, for any more difficulties. I thought it was a pretty good speech. 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 had in the past from the honorable Member for Whitehorse 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 priority. The time has come for some real negotiations to occur. 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 niggardly 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 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 move on land claims? 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 timeable. 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 it. I wonder, Mr. Speaker, whether you have any comment 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, that 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 take on board the assumption by that bill, to agree with it, but I do not think that 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 let us deal with 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 resources, beyond Whitehorse, 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 to 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, 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, 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 know. The plain truth, Mr. Speaker, is that we are spending about a 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 our money, we should be effective. When 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 very well come about.

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 to the 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. I am 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. If 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 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 us 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 see 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 necessary 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 in the White Pass operation, and, on the other hand you are saying we are going to keep it. 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 747's landing from Tokyo every day before we have the facilities to look after these people.

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 difficulties 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 to White Pass, 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 in control of our destiny, then there is one 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 new development of mines. That is completely and utterly wrong. It is a nice argument but it is not correct. The one 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
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 there that this Government can examine.

In summary, on the economic side, I think the Government has done well in great respect, they were ready 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 that disgraceful over crowding in some schools. Faro, 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 better qualified people coming 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 schools, they are going to do what they can 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 hoped 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 nearest 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 will 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 people that go along with 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 Act is a fact of life. There is no way we have to live with a government that does not supply health care.

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 they are listening to represent their chosen policies, and to fulfill the election promises that we made. Those 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 the Indian and Métis communities, no mention of 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 irrevocably 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. I wonder? Perhaps we can expect a new gimmick, 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 report 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 the 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 hypocrasy, it now appears, to pass a motion 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 Motion in the face of what I have just said. 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 Kluean, that the motion be amended by adding, after the words "House", the following words, "but regret that the government has failed to fulfill its election promises".

Mr. Panikett: 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 what they said to be one of the Yukon Conservative Party's leading thinkers.

The Conservatives, Mr. Speaker, maz 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 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 the election, 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 our system 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 applying for unemployment insurance. 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 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 hundreds people still without work.

And those people, the Conservatives, promised the entire Territori-
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. Everyone 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 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 be no 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, some might ask, is the rate of 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 at the very fabric of what has already had 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 with it, with it, with it, with it, with it. But what is 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 unit, Mr. Speaker, Yukoners would be better off to invest in a government 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 DP's, who were so 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:

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 he had 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 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 public 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:

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 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, will 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 the Minister had not done his homework, and 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 recognizes 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 Hobbs' description of life. That is just one example of the bad feelings that exist Mr. Speaker. And 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 every 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, the object of the pipeline 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 every member for Old Crow would rather be a Conservative than an Indian.

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

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, or will, be carried out by at least 15 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 heculian 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 electoral 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 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.

What are your plans to deal with the present impasse in land claims negotiations? What effective and functional steps will ensure 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 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.

What are your plans to deal with the present impasse in land claims negotiations? What effective and functional steps will ensure 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.

What are your plans to deal with the present impasse in land claims negotiations? What effective and functional steps will ensure 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.

What are your plans to deal with the present impasse in land claims negotiations? What effective and functional steps will ensure 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.

What are your plans to deal with the present impasse in land claims negotiations? What effective and functional steps will ensure 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.

What are your plans to deal with the present impasse in land claims negotiations? What effective and functional steps will ensure 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.

What are your plans to deal with the present impasse in land claims negotiations? What effective and functional steps will ensure 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.

What are your plans to deal with the present impasse in land claims negotiations? What effective and functional steps will ensure 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.

What are your plans to deal with the present impasse in land claims negotiations? What effective and functional steps will ensure 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.

What are your plans to deal with the present impasse in land claims negotiations? What effective and functional steps will ensure 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.

What are your plans to deal with the present impasse in land claims negotiations? What effective and functional steps will ensure 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.
Indications are that at least some consideration is directed accordingly in the stated growth plans, but that some Yukon communities, particularly those that lack transportation and communication facilities, 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 Whitehorse to where mining resource is located, extractable and refinable?

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, utilize public funding.

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 development. Has any consideration been given to a reopening of the educational curriculum, to embrace 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 residing in the professional and industrial 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 addressed.

Thank you, Mr. Speaker.

Mrs. Mclure: 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 resolve towards YTG, 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 inducts 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 think 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 if Indian and Northern Affairs recognize this House as an actual government, in the Yukon Act, not through some Ministerial Order that every went back to 1897 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 advice 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 you are new, you are not new to the government side even, but in this House and we have had it possibly you 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 well remember that this is one of the things that we definitely wanted done, that the Commissioner would be bound by the advice 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 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 goes that, and I really 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 where by they had put their money. It gave you a little idea.

This time, I find it very hard, it is easier for you, you are going to do things, but didn't 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 are 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 presented by the government to us, stating their philosophy and their policies and the way they would 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 it is and, and I would hope that our government, on this 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 take a lead in that, so that it did 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 hit 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 highers in the Indian area, and you will see that they do not say that. They do not ask us to get into the negotiations, 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 this, and Ottawa will tell us that, and I would hope that Ottawa will tell us that.

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 six, 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 too, it is not the native people.

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 that, and I take up all the names of the native people. 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 think them that we are going to negotiate the claim that the native people will do, 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 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 I think it is wonderful that we actually have a 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 pain in words. 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 Territory Government for infirmaries 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 “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 a very difficult thing, 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 there 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 for 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 type of thing, because you 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
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 it went on.

It has not been done, I will say that. I quoted 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 another health program that you have not said 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 not coming out on 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.

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 that the higher rate is not enough and we should believe that they are going to be correct. I think 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 at all. 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. As I said before, page 8, you are subsidizing the power anyway, equalize the power and subsidize. You cannot subsidize, Mr. Speaker, you cannot do two things.

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, you cannot do two things. You cannot support White Pass, you will not be able to distribute the 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 to the local people 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.

Hopefuly, 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 now and I was not in love with it by a long way 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. 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. Njoottil: Agreed.

Hon. Mr. Graham: Agreed.

Mr. Laxton: Agreed.

Dr. Hibberd: Agreed.

Mr. Falle: Agreed.

Mrs. McColl: Agreed.

Mr. Hanson: Agreed.

Hon. Mr. MacKay: Disagree.

Mrs. McGuire: Disagree.

Mr. Penikett: Disagree.

Mr. Byblow: Disagree.

Mr. Fleming: Disagree.
Thursday, and 7:30 to 9:30 p.m., Monday and Wednesday. These changes will enable government ministers to devote more of the day to the 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 has recommended that the 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, Mr. Speaker, as 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 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. Insip dive 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 provide for the needs of some 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 Speaker, Mr. Speaker, I was here as a guest, and I appreciate the offer to be there, but in the face of an undiluted stream of represent 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 done. Mr. Speaker 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 the Auditor General’s Report on this government’s performance here in the last, in 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 still do 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 they spend, and that it is not misspent.

The objective of the public accounts committee is that for one, to ensure 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 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 band 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 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 therefor 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 will 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 and dig it up, and I will have 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 26, 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 committee can do in a day or two, and if you have over half of this House, I think 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 be 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.

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 disqualifies 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 that 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 member as the end of the debate? Not only.

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 incommodated 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 constitutions, 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
entered, he turned the idea 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. Natur­
ally, I, too, was surprised that I had missed something very impor­
tant 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 Op­
position, 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 Opposition's 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 as­
sumptions about the rules of this place, including the hours of
speech.

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 Stand­
ding Order 2 because it would somewhat inconvenience an Opposi­
tion 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 in Yukon, the Tories want to, 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 31st. On January 31st the 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 elimi­
nated the requirement for seconders to motions. As many mem­
bers know, Mr. Speaker, the Opposition in Alberta is very small,
too. One of the things the government sensibly there did was re­
move 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 con­
stitutional development and financial control of Yukon Govern­
ment expenditures by this body, they should create a Public Ac­
counts 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 Commit­
tee'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 see the introduction of this noble institu­
tion. 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,
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 look­
ning after, the privileges and rights of the Members of this House.
For that Committee to ever 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 instru­
ment 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 major­
ity, 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, 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, mere words, words they
do not even understand! What do they mean? 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 for­
titude 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 this 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 opin­
ions, 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 en­
trance.'

Mr. Speaker, if we have to use the back way, we are un­
welcome visitors in this House. We can be expected to act accord­
ingly.

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 con­
cluded 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,
thirded by the Honourable Member of Whitehorse South, that on
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.
Mr. Speaker: Order please, would the Honourable Member please address his remarks to the Chair?

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

Dr. Hibbert: 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' rulings. 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 them. I am saying that we are laughing at the preposterous or any other Member. The mean time 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 the 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 the take exception to any Member in this House referring to the fact that we are laughing at the preposterous or 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 Debates rather than having two full long days in succession. I would also like to further point out, Mr. Speaker, that 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 deliberation 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.

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 it is 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.

Hon. Mr. Lang: Disagree.

Hon. Mr. Tracey: Disagree.

Hon. Mr. Graham: Disagree.

Hon. Mr. Njoftli: Disagree.

Mr. Lattin: Disagree.

Dr. Hibbert: Disagree.

Mr. Falle: Disagree.

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

(Motion defeated)

Mr. Speaker: Mr. Speaker, in closing, I just might say that, too, am quite concerned to hear the concerns by all five Members of this position. 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, who has spoken twice, 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.

Hon. Mr. Lang: Agreed.

Hon. Mr. Tracey: Agreed.

Hon. Mr. Graham: Agreed.

Hon. Mr. Njoftli: Agreed.

Mr. Lattin: Agreed.

Dr. Hibbert: Agreed.

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 Whitehorse West, 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. 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 discussions will be very fruitful and I enthusiastically support this motion.

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. Faile: 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

9-2-2 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

9-2-4 Yukon Workmen's Compensation Fund (Fifth) Annual Report for the Year ended December 31, 1977

9-2-5 Commissioner's Annual Report April 1, 1977 to March 31, 1978

9-2-6 The Yukon Liquor Corporation First Annual Report for the Year ended March 31, 1978

9-2-7 Government of Yukon Territorial Accounts Fiscal Year 1977-78

9-2-8 Correspondence to Mrs. Ione Christensen, Commissioner, from J. Hugh Faulkner, Minister, Indian and Northern Affairs: Terms of Reference

9-2-9 Auditor General's Report for the year ended March 31, 1978