



The Yukon Legislative Assembly

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5th Session

24th Legislature

HANSARD

Monday, March 29, 1982 — 1:30 p.m.

Speaker: The Honourable Donald Taylor

Yukon Legislative Assembly

SPEAKER — Honourable Donald Taylor, MLA, Watson Lake

DEPUTY SPEAKER — Grafton Njootli, MLA, Old Crow

CABINET MINISTERS

NAME	CONSTITUENCY	PORTFOLIO
Hon. Chris Pearson	Whitehorse Riverdale North	Government House Leader — responsible for Executive Council Office, Public Service Commission, Land Claims and Intergovernmental Relations.
Hon. Dan Lang	Whitehorse Porter Creek East	Minister responsible for Renewable Resources, Tourism and Economic Development.
Hon. Geoffrey Lattin	Whitehorse North Centre	Minister responsible for Municipal and Community Affairs, Highways and Public Works, Yukon Housing Corporation and Yukon Liquor Corporation
Hon. Meg McCall	Klondike	Minister responsible for Health and Human Resources, Education and Heritage & Cultural Resources
Hon. Howard Tracey	Tatchun	Minister responsible for Justice, Consumer and Corporate Affairs, Government Services and Workers' Compensation Board.

GOVERNMENT MEMBERS

(Progressive Conservative)

Al Falle	Hootalinqua
Robert Fleming	Campbell
Doug Graham	Whitehorse Porter Creek West
Peter Hanson	Mayo
Grafton Njootli	Old Crow
Donald Taylor	Watson Lake

Clerk of the Assembly
Clerk Assistant (Legislative)
Clerk Assistant (Administrative)
Sergeant-at-Arms
Hansard Administrator

OPPOSITION MEMBERS

(New Democratic Party)

Tony Penikett	Whitehorse West
Maurice Byblow	Faro
Roger Kimmerly	Whitehorse South Centre

(Liberal)

Ron Veale	Whitehorse Riverdale South
Alice P. McGuire	Kluane

Patrick L. Michael
Missy Follwell
Jane Steele
G.I. Cameron
Dave Robertson

at Whitehorse, Yukon
Monday, March 29, 1982

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

Prayers

Hon. Mr. Pearson: Mr. Speaker, on behalf of you and all of the Members of the House and all of the people of the Territory, I would like to take this opportunity to congratulate Monique Waterreus for an outstanding year as a representative, not only of Canada, but particularly of Yukon, in the cross-country ski world. Monique has been competing on the Noran circuit and has won it for Canada and Yukon, and, particularly, for herself. She also represented Canada in Japan this year and brought back a gold medal from those races. I am sure that all Members join with me in congratulating her from the bottom of our hearts.

Applause

DAILY ROUTINE

TABLING OF RETURNS AND DOCUMENTS

Hon. Mr. Tracey: I have for Tabling, a report entitled the Regulations Report.

I also have for Tabling, the Corrections Report from the Department of Justice.

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

Under Tabling of Returns and Documents I have for Tabling a letter from the Solicitor General of Canada, dated February 5th, 1982. This letter is in regard to the development of a policy for the RCMP respecting the interception of the communications of Members of Legislatures. It is Tabled pursuant to the recommendations of the Special Committee on Privileges, which were concurred in by resolution of this House.

REPORTS OF COMMITTEES

Mr. Hanson: I have for Tabling a Report of the Select Committee on Labour Standards. This report is on the subject of the Green Paper on the *Employment Standards Ordinance*.

Mr. Speaker: Are there any Petitions?

READING AND RECEIVING OF PETITIONS

Mr. Clerk: Mr. Speaker and Members of the Assembly.

I have had the honour to review two related Petitions, being Petition Number 1 and Petition Number 2 of the fifth session of the Twenty-fourth Legislative Assembly, as presented by the Honourable Member for Whitehorse Riverdale South on March 25, 1982.

Pursuant to Standing Order 50, Sub 1, of the Yukon Legislative Assembly, it is my responsibility to report whether such Petitions conform to the rules recognized by this House.

These Petitions do not conform in the following respects:

1. Both Petitions are photocopies. Annotation 676 of Beuchesne stipulates that "a Petition must have original signatures or marks."
2. Neither Petition is addressed to the Members of the Yukon Legislative Assembly, as required by annotation 671 of Beuchesne.
3. Neither Petition contains a proper prayer. Annotation 670 of Beuchesne states, "Without a prayer a Document will not be taken as a Petition."
4. Neither Petition is dated as required by Annotation 672 of Beuchesne.
5. The signature of the Member for Whitehorse Riverdale South does not appear on either Petition, in violation of Standing Order 49(6) which states, "Every Member presenting a Petition shall endorse his name thereon."

Mr. Speaker: I must therefore rule that the petitions cannot be accepted. Are there any Introductions of Bills?

Notices of Motion for the Production of Papers?

Notices of Motion?

NOTICES OF MOTION

Mr. Veale: I would like to give Notice of Motion, moved by myself, seconded by the Member for Kluane, that this Assembly is of the opinion that the Yukon Government should enforce the provisions of the *Landlord and Tenants Ordinance*, the *Consumer Protection Ordinance*, and the *Fair Practices Ordinance*.

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

MINISTERIAL STATEMENTS

Hon. Mrs. McCall: As during the course of the past ten days there has been a great deal of public interest expressed over the Watson Lake Secondary School principalship, I wish to make the following statement: In response to Mr. Shire's request of March 26th, that consideration be given to retaining him as principal of the Watson Lake Secondary School, even though he previously requested, on March 16th, that he be transferred to a teaching position in Watson Lake, effective September 1st, 1982 — a request which was granted on March 18th — and in the response to the express needs of the majority of the citizens of Watson Lake, including the members of the Liard Indian Band, it has been decided, after an intensive investigation of all facets of the situation, to retain the services of Mr. Shire as principal of the Watson Lake Secondary School.

In reaching this decision, complete cognizance has been taken of the Regional Superintendent's concerns regarding Mr. Shire's administrative ability and the School Committee's recommendation that Mr. Shire be replaced. Although it is recognized, by both the Department of Education and members of the Watson Lake community, that in terms of administrative functions Mr. Shire has a number of weaknesses, the community's expressed admiration of his commitment to community affairs and the positive manner in which he is perceived to relate to both parents and students, particularly of native ancestry, is also recognized. Taking all factors into consideration, it is deemed that, in the interests of community harmony, Mr. Shire be retained as principal of the Watson Lake Secondary School.

Mr. Penikett: In the absence of my Party's education critic, I would like to respond briefly to the Ministerial Statement. I think there have been a number of unfortunate things that have occurred during the discussion of this issue, both public and private. I think, perhaps, the most regrettable has been, as the Minister will recognize, the need to have a public discussion of the administrative competence of the individual employed. I think no matter what may happen now as regards his reinstatement, they will follow that person, for some time to come, some doubt and some cloud about his administrative abilities, and I think it is unfortunate that that cloud could not have been cleared today, at least to that teacher's, and principal's, satisfaction.

What occurred to me, from the distance of Whitehorse, was that there had arisen, in essence, a crisis of confidence in the school committee, that there was some doubt, it seemed to me, in the early stages of the debate, as to whether the committee itself had the confidence of the community.

⊞ We do not, it seems to me, have such a ready remedy available to the community in such a case as is even potentially available to the people of Yukon in respect to losing confidence in the Government. You can have public meetings, but the possibility of removing a full committee or having a new election, in the case where a school committee has lost confidence in the community, is a very difficult one. It is one of the several important areas that probably need to be discussed in the long overdue review of the *School's Ordinance*. I would urge upon the

Minister the attention of her officials to that particular problem and that particular point. I would hope in future such conflicts can be resolved without damage to the reputation of the teacher or the employee involved.

Mr. Veale: I would hope that the Minister could follow the usual practice of giving a little notice on Ministerial Statements so that we would have an opportunity to prepare to speak to them. I think it has been a very unfortunate issue to have arisen in Watson Lake because it has become an extremely divisive and bitter issue within the community. It is good that it is resolved to this extent, however the problem will continue, I expect, for some time in that community, because the principal, no doubt, feels somewhat let down by the system, and also because the School Committee, having taken a position, probably feels let down as well. I think the timing of the thing was very unfortunate, coming at this time of year, the principal having been allowed to stay in place for almost the majority of the year, and hopefully these things could be dealt with at the end of the school term in other communities.

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

QUESTION PERIOD

Mr. Speaker: This brings us to the Question Period. Are there any questions?

Question re: Layoffs of school janitorial staff

Mr. Penikett: I have a question for the Government Leader. Last Thursday the Government Leader indicated that the Territory's school janitors might be laid off. On Friday, the Deputy Minister of Education said that they would not. This morning the Public Service Commissioner was on CBC saying that one or two schools might have their janitorial work contracted out. At the same time, the Minister of Education was quoted as opposing the contracting out in her department. Could I ask the Government Leader what is the position of this Government?

Hon. Mr. Pearson: It is constant, and it has never changed. I did not imply on Thursday that any janitors were going to be laid off. It was a fear tactic that was raised by the Leader of the Opposition, in instant knee-jerk reaction to the Budget Speech.

Mr. Penikett: Now, what I said in the Budget Speech, and what this Government has said all the way along, for months and months, and what we have said to the Union, is that the cost of providing janitorial or custodial services in our schools is becoming very, very expensive. It is an expense that I feel that I have a responsibility to the other taxpayers in the Territory to look hard at. We told the Union, back in November of 1981, that we were very concerned about these costs, and that we were going to look at alternatives. That is exactly what I said in my Budget Speech and we are going to do just exactly that. It is not only custodial services. We are going to be looking at, I am confident, other areas as well. We do not intend to be laying people off. That is a myth that has been perpetuated by the Opposition. It is not anything we have suggested at any point in time at all.

Mr. Penikett: Since there is no possible thing under existing labour relations as transferring people to private sector that does not involve layoffs, I would take issue with the Government Leader's response. I would also take issue with his response about fear mongering. The question of people's jobs, and their job security and their futures in those jobs is fundamental to those people. I would therefore ask the Government Leader if he could tell us now his policy in respect to laying off public servants, since he appears to be speaking of this Government, and since he has said that he has given it careful consideration, how many public employees are slated for layoff, or being considered for layoff, by this Government?

Hon. Mr. Pearson: Mr. Speaker, we Tabled a Budget that reflects, number one, the number of total employees this Government has at this point in time and, it also reflects what we think the Government's total number of employees will be a year from now. The Honourable Member has been in this House and dealt with that Budget long enough that he knows all he has to do is pick it up and read it. He knows, from looking at that Budget and reading it, that at the present

time we anticipate having four more employees next year than we have at this time.

Mr. Penikett: I appreciate the Government Leader's advice. He also well knows that, for example, all the casual employees in this Government are not listed in the Budget and numbered in that way. Therefore, I ask the Minister of Education, since she has expressed some views on the subject, or reportedly expressed some views on this subject, that since the number of people who are janitorial employees in the Department of Education are beneficiaries, if you like, of informal affirmative action programs, or people who come out of Rehab programs and so forth, has the Minister taken the future of these individuals into account in the discussion of contracting out janitorial services?

Hon. Mrs. McCall: The welfare of employees is always taken into consideration.

Question re: Daycare

Mr. Veale: In the midst of all the controversy about cutbacks, I was very pleased to see a news release from the Minister of Education stating that, "Daycare will have to be accepted almost as a public utility like transportation. It is either daycare or welfare.", she said. I would like to ask the Minister if she would advise when the Government is going to make daycare an integral part of the education system of this Territory?

Hon. Mrs. McCall: One step at a time. We have done very well with daycare, so far.

Mr. Veale: Well, I thank the Minister for her usual lengthy and explanatory answer. However, I would like to ask the Minister to at least state whether she sticks with that position or whether she, in fact, is going to treat daycare in the way it is being treated now by this Government, as something quite different from a public utility?

Hon. Mrs. McCall: I would like to point out to the Honourable Member that it is this Government who first initiated daycare in the Territory. This is the first daycare that we have ever had.

Mr. Speaker: Order, please.

Mr. Veale: Yes. After three years of pressure from this side of the House, the Government finally did. I would like to ask the Minister if, in proposing this public utility policy, she is going to make a daycare centre available for the Members of the Public Service, the single mothers that work in this building?

Hon. Mrs. McCall: First I would like to say that I do not think that the Opposition can take credit for instituting daycare in the Territory. I went into politics hoping this would be something that I would achieve, and I did. As far as the Honourable Member's last question is concerned, it is one step at a time. I expect there will be more additions to daycare as time goes on.

Question re: Acts, changing from Ordinances

Mr. Kimmerly: A question for the Government Leader. Has the Government Leader made any inquiries or received any legal opinions concerning the legality of changing the name of Territorial Laws from Ordinance to Act?

Mr. Speaker: Order, please. I would have to rule that question out of order as it is not competent for a Member to ask any Minister a question relating to a legal opinion.

Mr. Penikett: On a Point of Order. The Member asked if he had obtained a legal opinion. He did not ask him to express a legal opinion, and I believe, with respect, Sir, it is perfectly appropriate to ask if a Minister has obtained a legal opinion as to the propriety of a piece of legislation.

Mr. Speaker: I must remind all Members of the House, once again, that under Annotation 359 of Beauchesne, Sub. 3, "A question ought to seek information and therefore cannot be based on a hypothesis, cannot seek an opinion, either legal or otherwise, and must not suggest its own answer, be argumentative or make representations." I must still rule that the question is out of order.

Mr. Kimmerly: I would ask if the Government Leader has made any inquiries concerning the legality of changing the name of Territorial Laws from Ordinance to Act?

Hon. Mr. Pearson: I am quite prepared to answer the question

after you make a ruling. I would like to challenge the right to ask the question, in view of the fact that there is on the Order Paper a Bill to be discussed, dealing with this very subject.

Mr. Speaker: Yes, the Honourable Member is correct, that a question is out of order if it refers to a debate which is anticipated later in the proceedings of the House.

Question re: Yukon Outreach

Mrs. McGuire: I have a question for the Government Leader.

While YTG Public Service Commission is well acquainted with the mandate and services of Yukon Outreach Employment Centres, which are recognized as an absolute essential agency in the communities. I would like to ask the Government Leader if he is aware that the Shakwak Outreach office in Haines Junction has had little or no cooperation from the PSC of YTG in relation to extracting up-to-date, job-related materials?

Hon. Mr. Pearson: I am sorry. I regret to advise that I am not aware of that. If the Honourable Member had made me aware, I am certain that I would have done everything possible to have made sure that the cooperation was forthcoming.

A request like this having to be made in the House distresses me, because there is no need for it. I will offer all of the assistance of the Government of Yukon, without question, in respect to this.

Mrs. McGuire: My supplementary is, in view of the fact that Shakwak Outreach workers have written and telephoned the Department of Public Service, on several occasions, to be advised on positions that have opened, locally and non-locally, but this approach has had no results, I want to ask the Government Leader if he would undertake to designate one person within the Public Service Commission to liaison directly with community Outreach workers to assure that Outreach workers receive job descriptions well ahead of closing dates of competitions.

Hon. Mr. Pearson: We have a policy in place, in respect to what we do in respect to the advertising of jobs. In every community in the Territory where we have a Territorial agent, we have a Territorial office, and all jobs that are posted for advertisement in the Territory are posted in those offices.

I am quite prepared to cooperate with the Honourable Member in every way that I can. I am prepared to commit the Public Service to cooperate in every way that I can. But, in doing that, I am not prepared to accept — because the implication has been made here — that there has been a lack of cooperation. I am not prepared to accept that now until I look into it.

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Question re: Capital projects in limbo

Mr. Penikett: I have another question for the Government Leader. In answer to a question of mine last week, the Government Leader said three of the Capital Projects we voted last fall were "in limbo to some extent". I would like to ask the Government Leader which three projects he was referring to and what was their value?

Hon. Mr. Pearson: If I recall correctly, the value is \$4.5 million. One is the Haines Junction Sewage Lagoon, and I will have to consult with someone, if you will just excuse me for half a second. One is the Haines Junction Sewage Lagoon. One is the major renovations of the Correctional Centre, and the other is the beginning of the Yukon College concept.

Mr. Penikett: I would appreciate it if the Government, at some point, could give us a progress report on those negotiations. I would like to ask him if he could explain how we came to have, and adopt, and debate, a projected Capital Budget representing an increase of 46 percent to the House when, in fact, it was less than that, when, in fact, this Government had not, as it is now saying, fully secured the funds to implement the program?

Hon. Mr. Pearson: That is not uncommon. That has happened often in the past, and I am convinced that as long as we are in the colonial state we are in, with the Federal Government, where they insist upon not only giving us every penny that we have to spend on Capital, but they insist on reapproving, after they have approved it the first time around, every job. As long as those bureaucratic rules — and that is all they are — are in place, this will continue to happen.

We put together a Capital Budget that we were convinced was a good

capital budget, one that this Territory needed, and we had gone one round of negotiations with the Government of Canada, in respect to them, and felt that we were in a position to Table such a Budget in this House.

Every time, there is second guessing. Normally we win and usually, and I think probably we will on this one, eventually, as well.

Mr. Penikett: Last October 15th the Minister of Finance told the House that the \$37 million Budget was "only as a result of long and difficult negotiations with Ottawa". Now, I would like to ask the Government Leader, can he tell us at this point, do we have the \$4.5 million, or whatever it is, or do we not, or when can we expect a final decision?

Hon. Mr. Pearson: As I have tried to say to the Honourable Member, no, we do not have the \$4.5 million at this point in time, and I am not prepared to stand here and say that we are not going to get it. There is always a chance, because Ottawa operates with Supplementary Estimates exactly the same way as we do.

Question re: Lewes Village Complex rental lease

Mr. Veale: I have a question for the Minister responsible for the Yukon Housing Corporation.

The Minister is aware of the desperate situation for public housing in Whitehorse with 30 people on the waiting list and only five units available. Would the Minister tell the House about the progress on the renewal of the Yukon Housing Corporation lease of the 24 units in the Lewes Village complex?

Hon. Mr. Lattin: We have had some consultation with the owner of that particular project. We had an original lease for fifteen years, which we consider still in effect. There were a few fine points we wanted to correct and we have assurance from the owner that we will be entering into a new lease for those 24 suites. I have not doubt in my own mind that we will have those suites there for the use that we are making of them. I am sure the Member opposite is quite aware because, I understand, he has been talking to the people concerned also.

Mr. Veale: I am glad to hear that the lease was not terminated, as was originally indicated, and is, in fact, still in place, and now being renegotiated. As the Minister is aware, the owner is moving to a condominium policy and Yukon Housing Corporation rents rental subsidy units in addition to the 24 units. Could the Minister advise the House that there is no fear that the condominium policy will result in any loss of rent subsidization units above and beyond the 24 units?

Hon. Mr. Lattin: I am not quite clear what the Member is asking me. If he is asking me about our own units, there is no problem with them. In connection with the condominiums, and the other renters, it is my understanding that the renters will have the first opportunity to purchase them. It is also my understanding from the owner of the building that he will only be selling for condominiums those suites that are empty.

Mr. Veale: The Minister is aware of the repeated requests of the tenants of Lewes Village, and surrounding citizens, to have unit 77 remain available for the Home Management Program and the Kids Club. Has the Minister been able to keep that project alive?

Hon. Mr. Lattin: I am sure the Member opposite me is aware that the Home Management Project was planned out quite some time ago. We have approached the owner of the said building again, and we have had several conversations with him, and he has graciously donated in the building area of roughly 600 to 700 square feet. So we have addressed that. If the tenants or the people in the surrounding district want to make some kind of a daycare centre there, those facilities are available to them. I am sure if they are interested they will pick up the ball and pursue it further.

Question re: Daycare facilities

Mr. Kimmerly: I have a question for the Minister responsible for daycare, and also in respect to the press release released last Thursday. My questions are very specific.

Is the Minister now monitoring the current waiting list and the present need for daycares around the Territory?

Hon. Mrs. McCall: I do not know which press release the Honourable Member is referring to. Certainly the department is monitor-

ing carefully the need for daycare, and it is proving to be adequate the way that it is.

Mr. Kimmerly: Is the Minister now considering Vocation Training Programs in Yukon for childcare workers?

Hon. Mrs. McCall: I do not know whether there is a course planned at the moment for that particular vocation. It is something that the department has on the books. Whether it has been planned for the next school term or not, I do not know.

Mr. Kimmerly: In the press release, the Minister stated that "it is either daycare or welfare". Can the Minister give us an indication of how many cases of welfare mothers are now assisted by the Government's daycare policy?

Hon. Mrs. McCall: That particular press release was an account of my trip to Paris, and the Unemployment Conference I took part in, which was a very interesting conference. That remark, "it is either daycare or welfare", was made to the Secretary of Labour of the United States, Mr. Donovan, because he is very worried about the enormous increase in unwed mothers on welfare. He did not see the relation between welfare and daycare, and I am just pointing it out to him that that is what that account was about.

At the moment I do not have the exact number of the users of daycare but I can get that for the Honourable Member.

Question re: *Yukon Housing Corporation Ordinance*

Mrs. McGuire: I have a question for the Minister responsible for Yukon Housing, if I can get his attention. Has the Minister any plans of Tabling the *Yukon Housing Ordinance* for revision during this term?

Hon. Mr. Lattin: No.

Mrs. McGuire: Probably the Minister is not aware that Community Yukon Housing Programs differ greatly from that of Whitehorse. Is the Minister aware of the problems and anguish that plague the occupants of Yukon Housing and the local Yukon Housing Board Members in my community?

Hon. Mr. Lattin: I would like the Member opposite to be a little more specific. I do not quite know what she wants me to answer.

Mrs. McGuire: My question was, is the Minister aware of the situation? Apparently he is not. It is my opinion that the Haines Junction Housing Program is very detrimental in its present form. It has directly caused family break-ups.

Mr. Speaker: Order, please. I believe the Honourable Member is now making a speech. Could the Honourable Member please get to her question.

Mrs. McGuire: I am getting to my question . . . dissention amongst the community people, employers paying employees off the record, and oppression of the Yukon Housing occupants. I would like to know what the Minister plans on doing about this, as it appears to be beyond the capacity of the Yukon Housing Board?

Hon. Mr. Lattin: It seems that the questions that the Member opposite is addressing are questions that are not the concern of the Yukon Housing Corporation. I do not know of employers making these deals. That is not of our concern. We are only interested in renting units.

Question re: *Territorial Income Tax*

Mr. Penikett: I have another question for the Government Leader. In budgets for previous years, the Government has projected certain levels of revenue from Territorial Income Tax and, presumably, the Federal Government has advanced money to the Territory based on these forecasts. I would like to ask the Government if these forecasts have proved accurate and have the revenues from this source met projections in the years of his administration?

Hon. Mr. Pearson: The question is, once again, one I am sure that is going to be the subject of some debate in forthcoming days. However, it is a fact that revenue for income tax is paid based on estimates. Those estimates are made by the Government of Canada, not by this Government. The catch-up period is two years, so we are always some two years in arrears in respect to making up estimates in respect to income tax. We have not had our first experience yet. However, that comes in the next year. We do know that the first year of income tax they did estimate high. We also know that they have taken that into consideration in making their estimates for this year. All we

do is work on the numbers that they give us. They have the responsibility to make those estimates.

Mr. Penikett: I thank the Government Leader for his answer. I would like to ask him, very specifically, in the case to which he referred, where the estimate was high, what is the mechanism by which we repay that money? Presumably we do not have a vote in this House, or a separate item. We do not have a separate Bill. Could he explain the mechanism by which we return the overpayment?

Hon. Mr. Pearson: We now are budgeting for it, and it is reflected in this Budget — I would be happy to point it out to the Honourable Member when we come across the numbers. We are budgeting to pay that back next year in this Budget. It shows as part of our working capital, for the time being. In our cash flows, we are cognizant of the fact that we are going to owe this money next year, and that is actually reflected in the Budget already. I believe, strongly, that that is the only honest way to deal with something like that.

I should not let it go just by saying that, because the Honourable Member, in raising this question, is also aware that we have a Supplementary Estimate that is going to be discussed at the same time, for this current year, that indicates that our overall revenue projections for this past year have been dramatically low.

Mr. Penikett: I would like to ask the Government Leader one supplementary to his first answer, which has to do with the position of the Federal Government in establishing the forecast for income tax revenues. I would like to ask him, is this figure not part of the same negotiations which continue in respect of the Expenditure Budget, and does not this Government make some representation to them as to its own projections in this regard?

Hon. Mr. Pearson: The number is one that comes from a different department. We are talking and dealing with the Department of Indian Affairs and Northern Development when we are talking Budget in Ottawa. There is some representation from the Department of Finance, but these estimates are made by the Department of Revenue, and those numbers are put on the table and those are the numbers that exist until the next budget year.

Question re: *School bus safety*

Mr. Veale: I have a question for the Minister of Education regarding school bus safety. At a recent public panel discussion in January of this year, it was agreed generally by parents, teachers and bus drivers that it would be wise to have volunteer adult supervisors on school buses. Would the Minister advise the House when she will be implementing a program for volunteer adult supervisors?

Hon. Mrs. McCall: There is a proposal before us just at the moment regarding adult supervisors. A decision has not been made on it but we are considering it at the moment.

Mr. Veale: The other recommendation made at that public meeting was the idea that a written manual would be required for teachers, bus drivers, students and parents on the rules and regulations applying to bus transportation. Could the Minister advise if her department is preparing such a manual and when it will be available for distribution?

Hon. Mrs. McCall: We are waiting for a School Bus Safety Report that was commissioned by us and I will be tabling that during this Session.

Mr. Veale: It was also a recommendation at that public meeting, from the drivers in particular, that the Department of Education, the Department of Highways and the City of Whitehorse, and other municipalities, coordinate the location of street lights and school bus stops. Would the Minister advise if she has set up a Committee or has started that consultation process to ensure that we have the best facilities available?

Hon. Mrs. McCall: That is being discussed at the Ministerial level at the present time.

Question re: *Local employment*

Mr. Byblow: I have a question I will direct to the Government Leader. On the last day, I pursued with the Government Leader, on his Government's commitment to local employment guarantees on Public Works projects. I would like to ask specifically if, aside from encouragement, his Government is prepared to write local employment guarantees into Public Works tenders?

Hon. Mr. Pearson: We are part of Canada, and we sincerely hope that we will remain a part of Canada, and a large portion of the money that we spend on Public Works contracts is Canadian money, given to this Government by the Government of Canada, and they simply do not allow us to do this.

Mr. Byblow: I will then pursue a question related to preference for local contracting. Recently, a local contractor, I believe Duncans Ltd., was forced to lay off employees when a contract was awarded to an outside firm which bid, I believe, seven percent less than the local company. Can the Government Leader clarify his Government's policy for local preference in awarding contracts?

Hon. Mr. Pearson: Yes, I am confident that the Member who has raised the issue was a Member of this House at the time when we established the policy of a five percent bid differential for local contracts.

Mr. Byblow: I would ask then, in view of the bleak economic outlook in the Territory, is the Government prepared to revise that policy to ensure that Yukon firms and workers receive the greatest possible benefit, in a reasonable sense, from Government contracts?

Hon. Mr. Pearson: I am sure that the Honourable Member should really, before he raises such an issue, go back over Hansard and review the extensive discussion that we had in this House in respect to whether it should be 15 percent, ten percent, five percent, or whether there should be any bid differential at all. We went into great detail to explain that five percent, we thought, on this side of the House, was the maximum that we could allow because, after all, we are dealing with Canadian money, and also we have to consider the taxpayers of the Territory who are paying the bill in the final analysis.

Question re: Taxi contract

Mr. Kimmerly: In the light of the policy to try to save money by contracting out services to the private sector, is the Minister now monitoring the present taxi contract which was let for a maximum of \$15,000 and, as of the 15th of January this year, the progress payments were \$27,000; an increase of 180 percent?

Hon. Mr. Tracey: We review all of our policies. As far as the figures that the Honourable Member across the floor has, those are not the latest figures that I have. Obviously, he has access to my department on a better basis than I do, because those are not the figures that I have. They are much less than that.

Mr. Kimmerly: With reference to the same contract. Is the Minister aware that although the contractor charges the Government the meter rate less ten percent, that same contractor, although he has no additional overhead, allows taxi driver's meter rates less 20 percent?

Hon. Mr. Tracey: Yes, I am aware of it. I have my department looking at it. We have done extensive work on it. At this time it is before my Labour Department for study and review, and perhaps action. That is as far as I would like to comment on that.

Mr. Kimmerly: With reference to the same contract, what steps are now being taken to ensure that private taxi trips are, in fact, on Government business?

Hon. Mr. Tracey: I do not know what the Member is really asking me. Is he insinuating that the Members of this Government are using the taxis for there own private business? If he is, let him bring me the evidence.

Question re: Yukon River bridge

Mr. Veale: I have a question for the Minister of Highways and Public Works. Would the Minister bring the House up-to-date on the costs and timing of bringing the Yukon River bridge to two way traffic status this spring?

Hon. Mr. Lattin: As the Member opposite me asked, I will certainly bring it in on a future date. I have not the figures at my disposal at this moment. I will bring them in at a future date.

Mr. Veale: The Minister is well aware that the damage was caused to that bridge as a result of a truck with a height higher than the clearance allowed under the bridge. What is really required is to have implemented an electronic, or some other method, of determining the height of trucks when they come over weight scales. Has the Minister introduced such a system to the weight scales in the Yukon Territory so that this unfortunate accident will not happen again?

Hon. Mr. Lattin: No, we have not introduced such a thing. This is something that we are definitely looking into and I am not prepared at this particular moment to say whether we will or not.

Mr. Veale: I am very concerned that the Minister has not introduced something now because there are two ways to do it. One is to have some sophisticated system brought in, but the other is to simply have wooden bars placed up at the appropriate height. In public discussion with the Minister, who was acting on your behalf, I asked him whether that would be an appropriate way to deal with it and there was some interest indicated. I am surprised that the Minister has not implemented a temporary system, and will he not do so to ensure that we do not have another bridge destroyed?

Hon. Mr. Lattin: As I just indicated to the Member opposite, it is something that we are discussing at this particular time and when we decide, I will certainly let him know. Just because we had one unfortunate accident over a period of say, 30 years, I do not think that we should get into a panic. It is unfortunate it happened, we realize that, but do not get into a panic yet. We will certainly review it, and I am certain that we will take corrective measures, measures that we feel necessary.

Question re:

Mr. Penikett: I have an easy question for the same Minister.

In a letter from the Minister to me dated February 24th of this year, on the subject of the Northland Park property, the Minister indicated his department granted title to the developer despite the terms of the agreement for sale not having been met because the company was having some financial difficulties. The Minister also indicated that he was assigning the property and the Phase 2 development to the new owners because it "was a financially solvent corporation". Given the new owners strong financial position, will the Minister confirm his intention to hold the Northland Park owners to the terms of the development agreement in the agreement for sale?

Hon. Mr. Lattin: We are reviewing it very carefully at this moment and I am sure that later on this week I will be able to make some statement on that.

Mr. Penikett: I have another question on the same subject for the Minister. If he would like to take notice I would appreciate that.

The option to purchase the land required for Phase 2 of the Northland Development expires September 1st, 1982. I would like to ask the Minister if he has any positive indication from the new owners that this land will indeed be developed in accordance with the agreement with the Government prior to that deadline?

Hon. Mr. Lattin: At the same time that I am answering the other question, I will certainly have an answer for that too.

Mr. Penikett: When the Minister is taking advice on that point, will he also ask the following question: if the land is not completely developed by September 1st, 1982, is the Minister considering granting another extension in addition to the 42 months of extensions already granted, and if so, what conditions will the developers have to meet?

Hon. Mr. Lattin: Again, I will address that when I bring in a statement on it.

ORDERS OF THE DAY

ADDRESS IN REPLY TO THE SPEECH FROM THE THRONE

Mr. Njootli: I move, seconded by the Member from Mayo that the following address be presented to the Commissioner of the Yukon: May it please the Commissioner, we, the Members of the Yukon Legislative Assembly, take leave to offer our humble thanks for the gracious Speech which you have addressed to the House.

Mr. Speaker: It has been moved by the Honourable Member for Old Crow, seconded by the Honourable Member for Mayo that the following address be presented to the Commissioner of Yukon: May it please the Commissioner, we, the Members of the Yukon Legislative Assembly, beg leave to offer our humble thanks for the gracious Speech which you have addressed to the House.

Mr. Njootli: In reply to the Speech from the Throne, it is a pleasure and an honour for me to be within a responsible Yukon

Government. I did not intend to be critical towards the actions and priorities of this Government. I say this because the Speech, in its three parts, would be implemented to aid the low income people, the senior citizens, the native people and those who are interested in capital investments in the private sector.

The Speech indicates difficult economic conditions in our country and the rest of the Western world. Much of these difficult economic problems are, in fact, initiated by the irresponsible Federal Liberal Government, and everyone knows that: the big businessmen, the lawyers, the small businessmen, the lower income people and those on welfare or UIC, all the regional governments and, surprisingly enough, even the NDP, even though they went to bed with the Liberals a couple of years ago.

I want to take this opportunity to make my point clear. The Federal Government has, in my opinion, about 25 agencies in existence here in the North, both in the Yukon and Northwest Territories. Many of these 25 agencies have many boards and committees to report to these agencies.

¹⁷ These 25 agencies, such as the Departments of Environment, National Health and Welfare, Energy, Mines and Resources, all report to the Federal Government. This type of long distance Iditarod, or what you might call it, is a 3,000 mile mocassin telegraph — Government communication must be shortened in the near future. Far too much of the federal money is spent because of the federal agencies in the Yukon.

In the fiscal year, 1981-82, the Federal Government is spending \$460,860,000 in these agencies, boards and committees, and we are still budgeted for only \$130 million for this same fiscal year. This brings me to the question that the Yukon public always asks: which Government does the Yukon belong to? All our minerals belong to the Liberals in Ottawa and the rest of the Government, or the NDP, who, once in a while, are holding hands with Mr. Trudeau. In his last visit to Yukon, being election time of course, Mr. Trudeau said that Yukon would be ruled by Ottawa during his lifetime.

The Yukon Government could use the \$460 million that these federal agencies in Yukon use, and do a lot better job than the Trudeau Government. Despite all that, I am pleased to see that this Government is determined to continue to introduce measures which will help to minimize upwards effects on Yukon's economy, and also to cushion it's more vulnerable citizens from hardship.

As far as the economic conditions are concerned, my people are happy with the fiscal job creation created for them during the year. Over 60 able workers are somehow employed, whether it was cutting wood for the Old Crow School, logs for the gymnasium, cutting the 1,000 cords of wood for the community itself for the old age pensioners' building, on the river bank for the erosion problem, running the sawmill, maintaining the airport, or just working as a student on summer holidays. I want to thank this Government for that. That, in itself, makes me believe that weekly earnings for November, 1981, were 28.5 percent higher than the previous November.

As I stated earlier, this Government has limited regulatory authority to implement fiscal programs, which are required to expand our economy here in the Yukon. I am optimistic that a welcome legislation will be placed before this House to consider a Heritage Savings and Investment Fund.

This Government, in my opinion, will use whatever little regulatory powers it has to support Yukon's economy.

¹⁸ It is my understanding that our Government here today is a very very responsible Government, and will approve an increase of almost \$1 million dollars, a 34 percent increase, to help the economies of each community and the Yukon Territory. My constituents have been benefitting from the Northern Energy Subsidization Program. I feel quite confident that the Government will continue to push for this subsidization, not only on energy, but on all commodities which are essential to the Old Crow people. I should also point out that through the cooperation between the Ministers of Municipal and Community Affairs and the Minister of Education, it was possible for the Chief of Old Crow, John Abel, to get some financial assistance to begin a new community centre, which was very much needed in the community of Old Crow. That, in itself, is a great contribution to enhance the social activities in the community. Both this new project and new school will

surely increase the educational and social quality of the Old Crow people. I say this because when the Land Claims is settled, Yukon will need these young people to run the affairs within the community and other parts of the Territory. The *Students' Financial Assistance Ordinance* will help the larger number of students while attending universities and colleges. When this House is considering the 1982-1983 maintenance estimates, we will find that a quarter of a million dollars has been set aside for the native language program. This, in my opinion, is a considerable increase in funding for such a program. I am sure the CYI will be overjoyed by this Government's determination to strengthen that particular program. As far as Land Claims is concerned, I have said time after time, that Land Claims should be settled soon. This year, we have budgeted over a quarter of a million dollars for the purpose of negotiating this claim. I suppose for CYI it costs that much just to send the Chiefs to England or Ottawa on just one trip. We are committed by our Government policy to settle Land Claims expeditiously. This Government is doing its best and it sticks to its objectives, and its policies as far as Land Claims is concerned.

¹⁹ It makes me quite mad, not only me, but many of the Old Crow people, to see these Land Claims go on and on. What about the general public who want to get this Land Claims out of the way so that life can go on, lives which depend on opening up of land and resources and jobs. The Opposition Members may say that we are not responsible. They know as well as I do that all responsibilities cannot be transferred to this Government overnight. It is good to hear that there is reason to believe that transfer of recreational lots will soon occur. Many Yukoners are in need of land at an attractive price. As a Native Government Member, I am proud and unprejudiced to conclude by quoting the second to last paragraph of the Throne Speech, to which I am replying, and I quote, "We look forward equally and with commitment to participating in the Conference of First Ministers to complete our Constitutional Accord by defining and entrenching the rights of our aboriginal people". Thank you, Mr. Speaker.

Hon. Mr. Tracey: It gives me great pleasure today to rise today in reply to the Speech from the Throne. My colleagues and I, on this side of the House, are very proud of our accomplishments as a Government. It has been a period of Yukon history that future Members of this Assembly will look back on as a turning point in our constitutional development. We have taken great strides forward in our drive toward fuller responsible Government, albeit against the might of the Federal bureaucracy and our Liberal Opposition. In less than four years, we have wrenched a large portion of our jurisdiction away from those people in Ottawa who have been very reluctant, or totally opposed, to allowing us to have control of our own affairs. We still have a long way to go and I, for one, will never be satisfied until we have attained fully equal status with the rest of Canada. Last week, I heard on the media that old saw from Liberal Opposition Member that we are concentrating on constitutional development when we should be looking at the economic situation. It seems to me that the Leader of the Opposition has failed to learn the lesson that his predecessor in his position learned, when he stated it in his address to this Assembly on his resignation. Some Members across the floor seem to fail to understand that if we are to have the ability to stimulate our economy, we must have control of the methods of doing that.

²⁰ We need to have control of our resources, we need to have control of our land, in order to be able to stimulate the economy. It seems that the Members across the floor, of at least one Party, fail to recognize that need. So until we have control of those land and resources, we never will have control of the ability to stimulate our economy. We have now become permanent second class citizens as well because of the Federal Liberal Government in Ottawa and their Bill C-48. If we became a province tomorrow, we would still be second class citizens in Canada. It is not what I want, but I question some of the Opposition and their support for the Federal Government in Ottawa. That is our heritage, and the heritage of our children, that that Government has taken away from us. If we are going to stop constitutional growth in Yukon Territory for the foreseeable future, as some of the Members would like to see, we are going to see more and more erosion of our heritage. During the last three years, we have made much progress in Indian Land Claims negotiations. This was accomplished only after the appointment of a Yukoner as the Government negotiator, as well as a

very well respected ex-Yukoner who leads the Federal negotiating team. As an MLA who represents an area that has a majority of native constituents, I would like to say that I believe our negotiating team, and our YTG negotiator, have done an excellent job. We have many agreements in principle signed at this time and, hopefully, after we have the land selection of three or four more communities, we will reach the stage where we have an agreement in principle. I say that is a great step forward, mostly because of the efforts of this Government, who I represent. On behalf of my constituents, I would also like to commend my Government for the many initiatives undertaken in my constituency, many which were needs that were outstanding for many many years. One of the reasons why I ran in my constituency was to overcome some of these problems that I and many of my constituents perceived.

²¹ I would like to commend my Government for answering many of those. We often, in this House, talk about responsible government, we demand responsible government, we want more control of our economy, we want more control of our legislature. The people in those constituencies would like to have control of their affairs as well. My number one concern when I ran for election was to devolve control to the local level. To that respect, I pushed for a Local Improvement District in Carmacks, I pushed for municipal governments in all areas of the Territory. We now have a *Municipal Ordinance* in effect; it will come in effect September of 1982, and I think that is a very great achievement for us. We have been provided with one new school in Carmacks, and we have tenders opening on April 8 for a school in Pelly Crossing, which I am sure we will be building. We have increased the road maintenance and street maintenance programs in my constituency. For that, my constituents would like to thank this Government. Incidentally, we have also decreased the television payment, we do not pay television payments any more. For the few thousand dollars it was costing this Government, before we came into power, we were causing a lot of dissension then in the outlying areas. We have accomplished, if nothing else, the end to that dissension. We have also seen the construction of a new indoor swimming pool, to be opened in the spring, and plans to provide a pool for Pelly Crossing. This summer we hope to move the old pool to Pelly Crossing, which will make their life there much better. In other words, we have seen a Government which has been very responsive to the people in the outlying areas, and I would like to commend my Government for that. We fully expect to see other things such as radio reception in Pelly Crossing, and street upgrading. We would also like to see a continuation of the highway maintenance and reconstruction program. We would like to see a cottage lot development in the outlying areas, especially in the Carmacks area, where we have no access to cottage lots. We recognize that this is contingent on the Federal Government in Ottawa turning the land over to us. They have promised to turn it over for the last two or three years, but they seem to be slipping further and further behind. There are many projects we would like to see brought into our area, but we recognize that all of these things do not happen just because we want them to happen. We have to work to make them happen, and we do not all get what we want exactly when we ask for it. One thing that my constituency would like to see is a development of alternate energy sources, or small hydro developments on local streams, so that we can reduce our energy costs.

²² The cost of energy in small communities is becoming a major deterrent to anyone who wants to move into these small communities. They have to balance their costs out against the benefits of moving into small areas, and energy is fast becoming a major deterrent. Power bills in small communities have increased 300 and 400 percent in the last two or three years, and it is becoming impossible for these people to remain in the small communities. We have many people living in Government housing in small communities who refuse to move, who refuse to build their own homes, because they are afraid of what the costs are going to be, especially for the energy sector. We would like to see the Government do some work on alternate sources of energy so that we can get the cost down.

All in all, I am confident, and I am speaking for my constituents, when I say that this Government has done a very credible job of providing for the people, considering the resources that it has had to work with. Thank you, Mr. Speaker.

Mr. Penikett: I move, seconded by the Member for Faro, that debate now be adjourned on the Address and Reply to the Speech from the Throne.

Mr. Speaker: It has been moved by the Honourable Leader of the Opposition, seconded by the Honourable Member for Faro, that debate on the Speech from the Throne be now adjourned.

Motion agreed to

GOVERNMENT BILLS AND ORDERS

Bill No. 2: Second Reading and Third Reading

Hon. Mr. Pearson: I move, seconded by the Minister of Justice, that Bill No. 2 entitled *Interim Supply Appropriation Act, 1982-83* be now read a second time, and that pursuant to Standing Order 57 this Bill be ordered for Third Reading without consideration by the Committee of the Whole.

Mr. Speaker: It has been moved by the Honourable Government Leader, seconded by the Honourable Minister of Justice, that Bill No. 2 entitled *Interim Supply Appropriation Act, 1982-83* be now read a second time, and that pursuant to Standing Order 57 this Bill be ordered for Third Reading without consideration by the Committee of the Whole.

Hon. Mr. Pearson: This Bill is one that allows us, because of the close proximity to the end of the fiscal year, which is March 31, to carry on with Government in the Territory for the month of April. It is designed with its schedule so that it represents exactly one-twelfth of the Budget that was Tabled along with this Bill. It is a procedure that we use in those years when we feel that we have not been able to Table the Budget in enough time to allow for proper debate and consideration of that Budget in its entirety prior to the end of the fiscal year.

²³ **Mr. Penikett:** I shall be very brief. It is not traditional in this House to have lengthy debates on the question of Interim Supply. There have been expressions of opinions as to the possibility of us coming back to the House before now but, much as I love this place, those of us who had Committee work were in no rush. I would say to the Government Leader that had this been a two month Supplementary, I might have had more to say, but since it is only one month, I feel more constrained. I would point out to him that, just as a matter of brief fact, I do not believe that this was exactly one-twelfth of the O&M Budget. I did a calculation, it is approximately one-twelfth, but who wants to quibble. I think this will probably get us through April. We are going to have, I suppose, much more sound and fury on the main estimates, and that we are all looking forward to with relish.

Mr. Veale: We, too, will be supporting Bill No. 2, and we will not be staying out of the House or letting the bells ring for any undue length of time. We will be back here to vote on this so that we can get on with the Government of today.

Motion agreed to

Bill No. 3: Second Reading

Hon. Mr. Pearson: I move, seconded by the Minister of Renewable Resources that Bill No. 3 entitled *An Act to Amend the Interpretation Ordinance* be now read a second time.

Mr. Speaker: It has been moved by the Honourable Government Leader, seconded by the Honourable Minister of Renewable Resources that Bill No. 3 entitled *An Act to Amend the Interpretation Ordinance* be now read a second time.

Hon. Mr. Pearson: This is a piece of Legislation that I feel is very important to the people of the Territory, and very important to this House that it be dealt with at this time. The Legislation before us changes some of the usage of terminology in this House and in our own Legislation. I want to stress, in anticipation of some of the questions that I am sure the Member for Whitehorse South Centre is just itching to jump up and ask me, that yes, indeed, we have had legal advice and, yes, indeed, we have had constitutional advice, and I want to assure him that we are not in any way contravening the *Yukon Act* or any other Federal Legislation.

What this Legislation does, is change the use of the word "Ordinance" to "Act", and it makes the words interchangeable. It changes the term "Commissioner" to "Commissioner in Executive Council", something that we have been changing in our Legislation as we go

along. As we have this piece of Legislation open at this time, we will change it in the *Interpretation Ordinance* as well. It outlines a definition of Executive Council, a definition of Executive Council Member and a definition of Legislative Assembly. It puts them into our Legislation. Now, of course, the next step, and the real, very important step, is to convince the Federal Government — something that I have been trying to do for a number of years. I know, Mr. Speaker, something that you, personally, have been trying to do for a number of years is to convince the Federal Government that, in fact, this is a Legislative Assembly, that this group of front benchers are an Executive Council and that we are, in fact, Executive Council Members.

²⁴ Part of it, the Federal Government cannot have any problem with it. We are simply following the instructions given to the Commissioner in the famous letter of October, 1979, from the then Minister of Indian Affairs and Northern Development to the Commissioner of the Yukon Territory.

It will also change the definition of "Commissioner in Council", which is now in the *Interpretation Ordinance* to "Legislature", which is the proper terminology. It will also make certain that wording changes in our Legislation, particularly in so much of the Legislation that we are now getting from the Uniform Law Commission, where we change words because of local usage, it does not imply that we are intending to change the meaning of the Legislation. This is a standard worded interpretation section that is normally in an interpretation act to make it clear to the people who read the Legislation, and particularly those who judge upon the Legislation, that we are not going around the Legislation or the intent of the Legislation simply by changing a word or a number of words.

It also, and I think it is very important, changes the term "Clerk of the Council" to "Clerk of the Legislative Assembly".

Mr. Penikett: This Bill, as the Government Leader has said, changes the word "Ordinance" to "Act" throughout our Legislation, and makes the other minor changes indicated by the Government Leader. I want the Government Leader to know that I, too, have sought legal advice and, because I want the Government to respect my legal advice, I want the Government to know that I have consulted a former Judge, and I know that knowing the deep and abiding love and respect and affection in which this former officer of the Court is held, that the Government will be extremely keen to hear his opinion on this particular legal matter.

²⁵ My consultant says, no, this Bill is not legal, that it violates the *Yukon Act* quite clearly. In fact, it so clearly violates the *Yukon Act* that he was able to explain how it does so to me, and you all know here how much trouble I have with legal language and complicated legal concepts. In fact, I am probably quite thick when it comes to these things. The only thing that makes me competent enough to stand in this House is the knowledge that I am no more so than the rest of the people here.

I want to say that, having concluded that it is not a legal initiative, one must then ask the question, why are they doing this? Why are they doing this? Well, given the harsh realities outside this building and the demonstrated inability of the Government to do anything about them, and this being an election year, one must have something to go to the people on, and what better than a war with Ottawa. Imagine what will happen if tomorrow, after passing this, it is disallowed? We then have somewhat of a monstrous constitutional mess, in that all the Budget Bills that we have been dealing with, including the Bill that we have just given Second Reading to, are described as "Acts" rather than "Ordinances". This could be quite an interesting place tomorrow. Certainly, if I had nothing else to run on in an election, why not run against Ottawa on the basis that they will not let us call us what we want to call ourselves.

I cannot say anything terribly constructive or useful about it. In fact, the only thing I liked about it is once again to have seen the Tories sort of dangling a noose in front of the Liberals face and watching them stick their necks right in it. I have just a touch of a macabre sense of humour, and I do enjoy those moments of Legislative life. However, given the seriousness of the problems around us, I do not really know that such antics are terribly useful.

I want you to know, Mr. Speaker, and I say this in all seriousness, I do not really care what they call us. They can call Premier Pearson the

King of Riverdale, for all I care. They can call the Minister from Porter Creek, the Queen of Porter Creek. They can call the Minister responsible for the *Societies Ordinance* the Jack of Clubs, or the Minister of Highways, the Jack of Spades. They can call the entire Tory Caucus the Wild Cards. I do not know which one is the Joker, but I will leave that one for them to decide. The question is, who cares? Who really cares?

Some people, you will know, call this place the "Daycare Centre", they have sufficient lack of respect for it. Some people call this building, "Battlestar Galactica". The member for Campbell has another name for it. The important point is, I know what I am. I know what I do here. I am an M.L.A., a Member of this Legislative Assembly.

²⁶ I know that, because not only does it say so on all the Bills, but it says so on my letterhead and everything. I have proof. I really, to do this, do not need Ottawa's permission. I do not require it. I do not want it. This is a minor little constitution move for the Government of Yukon. It is, as they used to criticize Mr. Trudeau for, a unilateral move, done without consultation of the other interested parties. There really are more important things to do. That is why I am going to keep my speech short. I will tell you that the responsible Members of my Caucus are going to be voting for this measure. We are going to do so with a distinct lack of enthusiasm, and do it, may I say, with a feeling of *deja vu*, a feeling that somehow we have been through this once before, or several times before, and the speeches on all sides are probably quite predictable, and no doubt entertaining, but in the end not very helpful. Therefore, I am going to say that we will support this measure with distinct lack of enthusiasm, and look forward to tomorrow's events with some interest.

Mr. Veale: Once again, we have a piece of Legislation before this Assembly which is all form and no substance. You know, it is all smoke and no fire. As a matter of fact, it is a complete yawn, because this Legislative Assembly has some very important things to do. It has jobs to create, Government business to administer, and what are we doing? We are playing Yukon scrabble. That is right. A word is not a word, a word is something else. I just find it an incredible bore that we have to spend time debating Legislation of this nature.

Just think of the real problems that are going to occur in the school system because of this Legislation. The teacher is going to say, "Johnny, how to you spell 'Ordinance'?" And Johnny is going to say, "Ordinance? A-c-t, of course." And the teacher is going to say, "No, no, Johnny. That is not right." He is going to say, "Well, that is how the Conservatives spell it." "How do you spell 'Council', Johnny?" "Why you spell it, L-e-g-i-s-l-a-t-i-v-e A-s-s-e-m-b-l-y." "No, no, that is not right, Johnny, it is C-o-u-n-c-i-l, you know." Just imagine the confusion that is going to be caused. What for? What for?

The only thing that is good about this is it will create jobs. It will create tons of paper to change all the Legislation. That is the only good thing about it. I think it is an incredible situation that a Government feels so inadequate that it has to pass these kinds of word changes and word games. Of course, if the former Judge, or anyone else who cares to give an opinion, is correct, and this does violate the *Yukon Act*, then we are going to see a real problem, because the administration of Justice in the Territory will completely fall apart.

²⁷ People will be prosecuted under the *Motor Vehicles Act* and the Judge will say there is no such thing, there are only Ordinances. Of course, the legal advisory for the Territory will stand up and say, did you not know, your honour, that an Act is an Ordinance and an Ordinance is an Act. It does not make any difference. If it does not make any difference, why are we going through this procedure. All smoke and no fire, a big yawn, Mr. Speaker. We will let it go through, though.

Mr. Kimmerly: My opinion has already been referred to, but to make the matter absolutely clear, it is my opinion that this Ordinance, which pretends to be an Act, is unconstitutional, or is illegal.

What I wish to address, most importantly, because it is the crucial question in this whole debate, in my opinion, is to answer the Government Leader's statement about why "at this time" he is bringing forward this Legislation. It is significant, and very interesting that, on the 25th of November, 1981, the Minister of Justice brought in Bill 80, which did virtually the same thing. It was called an Ordinance, but the sections of the Ordinance were the same as the sections in the current

Bill No. 3. They are virtually interchangeable.

The Government, in the closing days of the last Session, allowed Bill 80 to die on the Order Paper. They obviously did not think at that time that it was important to pursue that question. However, at this time, the Government believes that it is important to pursue it.

It is my opinion, that that is a risky brinkmanship that is extremely unbusinesslike, and very dangerous. The *Interim Supply Ordinance* is styled an Act. There is a real possibility that that will not be assented to, probably tomorrow. Why is the Government forcing that kind of a risk, that kind of brinkmanship on the Yukon, at this time. The only conceivable answer is that they are manufacturing an election issue to go to the people on, and it is a flimsy issue.

²⁸ There is a perfectly legal, sensible way, whereby the Government could achieve the results that they say they desire. The method is simply that we pass a Motion of this House asking the Federal House to amend the *Yukon Act* with the same provisions. If that has already been done, and the Federal House has not ascended to it, it is obviously an indication of the attitude of the Federal people.

Given that attitude, that Members opposite are obviously well aware of, or claim to be well aware of, why are they, at this time, bringing the matter to a head, and bringing the matter to a head on the *Interim Supply Act*, as it is called, in order to create a crisis.

The rational, in my opinion, is that this is an illegal Ordinance, or what purports to be an Act. In Section 2 of the *Yukon Act*, the Commissioner is defined, the Council is defined, Ordinance is defined, and this Legislative Assembly, indeed, the whole Government structure of the Yukon is dependent on the *Yukon Act*, just like the Government structure of Canada is dependent on the *British North America Act*. We simply cannot change it, unilaterally, by our Act. We have only the powers given to us under the *Yukon Act* and it is clear and simple that the changes necessary are amendments to the *Yukon Act*.

²⁹ **Hon. Mr. Lang:** I am very pleased to see when I rise that the Leader of the Official Opposition takes note, which I am sure, as most Members would agree, he should.

Taking the other side, I think a couple of points should be made in respect to the Bill that is before you, and the motives that are being put forward by the Members opposite. That is not the case at all, it is this side of the House and we have always been very frank and very candid as far as the public of the Territory is concerned.

We stand for responsible Government. We stand for more responsibility being administered, and the political direction given thereto, by the people of the Territory. Not the question of personalities. Not the question of who presently resides in the position of the Minister of Tourism and Economic Development, or for that matter, the Leader of the Official Opposition, because we recognize that it always changes.

The point being is that the Conservative Party and the Members of the Conservative Party, have always been a strong proponent of responsible Government in the Territory. One has to take these steps slowly. We recognize that it does not happen overnight. Yes, we did Table a Bill last Session that indicated amendments to the *Interpretation Ordinance*. The point that has to be made about the Bill that is before us at the present time, is the fact that the word Minister is not used. We have, from a legal opinion, been told that there is no way that this can be used in a legal document, and therefore you do not see it in the Bill before us.

I recognize the Members opposite have taken their legal opinion, free of charge, and one has to say — and I am sure most Members would agree — that when you get advice free, one has to take it for what it is worth. Taking it a little further, I would point out that I find it difficult to understand the opposition on one hand saying it is an illegal act, while on the other hand they are going to vote for it. We have had legal opinions on this side of the House that say it is legal. We would not be doing it unless it was legal.

I recognize that the Members opposite have a difficult time in respect to whether it is a legal act or whatever, but, because they feel it is politically advantageous to them, they will vote for it. From our prospective, we believe we are taking another step forward, which really is, in our view, another precedent in respect to the administration of the executive of Government as well as this Legislature.

Now, the Member for Riverdale South — whom, I think, the Leader of the Official Opposition might want to call the King of Riverdale

South — is taking it one step further, saying that this is a yawn, that it is Yukon scrabble. Well, I do not think it is Yukon scrabble. I do not think it is a yawn. I recognize the Member opposite, with respect to what his position is, and his support in respect to the centralization of Government, does not really want to go ahead. He wants to go backwards.

I recognize the Leader of the Official Opposition does not want to go ahead too enthusiastically, but he is prepared to look at it because he is going to condemn the Government of the Yukon Territory, beyond the Legislative and Executive authority we have, for economic problems such as the metal markets.

I have to take to task the Member from Riverdale South, because I do not believe he is serving his constituents in the manner that he should be. I feel that he should be enthusiastically supporting this Legislation when he has been told, from good sources, the Government Leader on this side of the House, as well as myself, that we have legal opinion that says that this can be done.

³⁰ So, I agree to some extent, but I do not think really it is a major issue. All we are doing is going ahead, step by step, in the commitment the Conservative Party made to the general electorate approximately three and a half years ago, and we will continue to do so on their behalf.

The Member opposite talks about jobs. The reason I was late was that I was just on Insight, on CBC, talking about the work that this Government is doing in respect to the various plans that we have coming for this forthcoming year. I recognize the Members opposite would sooner say that the cup is half empty as opposed to half full. All I am saying, in respect to the general wellbeing of the Territory, this side of the House has that in mind in any steps that we take forward. All I can recommend while I am on that subject, is that if I was a pessimistic as Members opposite, I think that I would have two choices: (a) C.P. Air comes in twice a day — not only in but out — and they could take their pick, or (b) maybe go to the bridge and jump off. Well, I have an idea about the Yukon. I believe in the Yukon, I believe in the future of the Territory, and I believe one of those steps that has to be taken is more responsibility being administered here at the Yukon level, as to opposed to what the Liberal Leader would have us do, be always subjected to the whim of those Members elected east of the Manitoba border.

In respect to the Act that is before us, I think it is very clear. It specifically indicates in the letter of intent that was brought forward, that it is within our ability to amend the *Interpretation Ordinance* and, from my perspective, in respect to the Bill that is before us, it is very straightforward. I am very pleased to see the NDP coming along with us, granted, unenthusiastic as they might be, but they recognize that perhaps it is a step forward that would aid and abet us further as we go on with our constitutional development, which in turn, hopefully, will in time allow us to take over our proper place in Canada, and also the resources in the land which is really our economic base.

In conclusion, I, and I think I can speak for all Members on this side of the House, believe in the Yukon. We believe there is a future in Yukon and I would like to think that the Member from Riverdale South will do the same.

Applause

Mr. Fleming: The Honourable Member has said it for me, although I want to say it again. If I were over there — and I was before — and I did not want the Bill, and though the Bill was no good and it was not right, I would vote against it. Stand up for your convictions.

Mr. Falle: Mr. Speaker, and Honourable Members on the other side, I have heard a lot of pussy-footing and backpedalling in my day, but this has got to take the cake. We have an ex-Judge saying it is illegal, but I will vote for it. We have a lawyer on this end saying, "I don't like it. It is a yawn, but I will vote for it."

³¹ We are doing what the people want us to do; we are looking for responsible Government. You have a responsible Government. Not yawners. Not judges who will vote against the convictions because it is illegal. If it is illegal, do not do it. This is the first part about politics we always learn. You know, we have to take chances. We have to be able to just...

Mr. Speaker: Order, please.

Mr. Kimmerly: On a Point of Privilege, I never said that I would vote for the Bill, and the Member is inaccurate in making that statement.

Mr. Speaker: Order, please. Obviously the Honourable Member knows that he has not raised a Point of Privilege. He is only contesting an allegation of fact between two Members. I would ask if Honourable Members, in the thrust and parry of debate, would keep this point in mind.

Mr. Falle: I just want to continue by stating that I believe that every person in the Yukon today is tired of being brainwashed, being brow-beaten by the Liberals in Ottawa and the bureaucrats. This is a step that is at least going to give us a little bit more self-government and esteem; call it what you want. But at least it is what this Government and the people who elected us, asked us to do — to have responsible Government. That is all that we are trying to do, and I am glad you people on the other side see that.

Mr. Speaker: The Honourable Government Leader, now speaking, will close debate at this time.

Hon. Mr. Pearson: I appreciate the opportunity to close debate, because I want to clear up a question that was raised by the Member for Whitehorse South Centre. In respect to where we, in this Legislature, derive our powers and our rights, and where the Commissioner of Yukon derives his powers and his rights, I want to make it abundantly clear that it does not matter how anyone reads the *Yukon Act*, the Commissioner does not get the authority, or right, to act in this House anywhere but from Yukon Legislation. He does not get it from the *Yukon Act*. The *Yukon Act* does not give him any rights or authority. It is only the Legislation that is passed in this House, by this Legislature, that gives him the authority to do whatever we might suggest to him should be done. That is a very, very clear basic principle of Legislation and, the passing of Legislation, that Members opposite have to recognize. It is not right for them to stand up and vote for this Motion, thinking that they are doing something illegal, because they are not. There is absolutely no doubt about it, it is a legal bill. We have every right in the world to pass this piece of Legislation.

Mr. Speaker: Are you prepared for the Question?

Division has been called.

Mr. Clerk, as all Members appear to be in the House, we will ask that you take a poll.

Hon. Mr. Pearson: Agreed.

Hon. Mr. Lang: Agreed.

Hon. Mrs. McCall: Agreed.

Hon. Mr. Lattin: Agreed.

Hon. Mr. Tracey: Agreed.

Mr. Njootli: Agreed.

Mr. Falle: Agreed.

Mr. Hanson: Agreed.

Mr. Graham: Agreed.

Mr. Fleming: Agreed.

Mr. Penikett: Agreed.

Mr. Byblow: Agreed.

Mr. Kimmerly: Disagreed.

Mr. Veale: Agreed.

Mrs. McGuire: Disagreed.

Mr. Clerk: Mr. Speaker, the results are 13 yea, two nay.

Motion agreed to

Bill No. 4: Second Reading

Hon. Mr. Pearson: I move, seconded by the Minister of Justice that Bill No. 4 entitled *Fourth Appropriation Act, 1981-82* be now read a second time.

Mr. Speaker: It has been moved by the Honourable Government Leader, seconded by the Honourable Minister of Justice that Bill No. 4 entitled *Fourth Appropriation Act, 1981-82* be now read a second time.

Hon. Mr. Pearson: This is another one of the package of money bills, from this number to number seven. This particular Bill provides for our best estimate to the end of this current fiscal year that we are in now. In order to come up with these Supplementary Estimates we have been able to use our actual expenditures to the end of what we call our Period Nine Variance Report, which is December 31st.

³³ These supplementaries then are built upon what has transpired, what is actual to December 31, 1981, and what we anticipate are expenditures and revenues to the end of the fiscal year, or March 31, 1982.

Mr. Penikett: I appreciate the Government Leader's few brief words. I would, at the time of the debate on the principle of the Bill, want to point out that this is a fairly significant increase. Last year, when we were discussing the equivalent Supplementary, the Government Leader made the observation that it was utterly impossible to estimate expenditures. I think he is indicating a similar problem once again, since this is close to a ten percent increase over the estimates. I think it would not be useful at this point to discuss any of the particulars in detail; presumably we will do that when the Bill goes into Committee.

Motion agreed to

Bill No. 5: Second Reading

Hon. Mr. Pearson: I move, seconded by the Minister of Health and Human Resources, that Bill No. 5 entitled *Second Appropriation Act, 1982-1983* be now read a second time.

Mr. Speaker: It has been moved by the Honourable Government Leader, seconded by the Honourable Minister of Health and Human Resources, that Bill No. 5 entitled *Second Appropriation Act, 1982-1983* be now read a second time.

Hon. Mr. Pearson: This is, in fact, the Operations and Maintenance Budget for the Government of Yukon for the fiscal year beginning April 1, 1982. I have said everything that can be said at Second Reading, in respect to the Budget Speech I delivered in the House when we last sat. We will be discussing the Bill in great detail in Committee of the Whole. I do look forward to those discussions. I hope that they will be deemed to be constructive. I hope that we can be of all the help necessary to the Members opposite so they really do understand exactly what this Budget is all about.

Mr. Kimmerly: In speaking just to the principle of this matter, there will be much said in the Committee stage. I would draw the attention of Government Members to a significant lack of information in the Schedule and in the Estimates. In some departments, there is a reorganization that is not explained in any way in terms of the goals and objectives of the departments. The information is extremely scanty, and it makes an analysis of the estimates, especially the comparison to last year's, extremely difficult.

³⁴ In some of the departments, the explanatory information concerning the estimates of caseloads, and that sort of thing, are missing entirely. We see that as an important lack of information and I speak of it at this stage in order to alert the Government Members. In the Committee stage, we will be asking for those things that have been left out.

Motion agreed to

Bill No. 6: Second Reading

Hon. Mr. Pearson: I move, seconded by the Minister of Renewable Resources that Bill No. 6 entitled *Financial Agreement Act, 1982* be now read a second time.

Mr. Speaker: It has been moved by the Honourable Government Leader, seconded by the Honourable Minister of Renewable Resources, that Bill No. 6 entitled *Financial Agreement Act, 1982* be now read a second time.

Hon. Mr. Pearson: This Bill is almost a pro-forma Bill. It seems that the only thing that changes in this Bill from year to year is the actual numbers that are plugged into it. This gives the Commissioner in Executive Council the capability of signing a financial agreement for 1982-83 that reflects the monies that will be transferred by way of transfer payments to this Government from the Government of Canada.

Mr. Penikett: We have no objection to the Bill. We may have some questions in Committee about the numbers arising from discussions on other items.

Motion agreed to

Bill No. 7: Second Reading

Hon. Mr. Pearson: I move, seconded by the Minister of Highways and Public Works that Bill No. 7 entitled *Loan Agreement Act (1982) No. 1* be now read a second time.

Mr. Speaker: It has been moved by the Honourable Government Leader, seconded by the Honourable Minister of Highways and Public Works, that Bill No. 7 entitled *Loan Agreement Act (1982) No. 1* be now read a second time.

Hon. Mr. Pearson: There is a considerable change in the principles of this Bill that I want to bring to Members' attention. Again, this has become just about a pro-forma Bill in past years in this House; however, the major difference in this particular Bill is that it will give this Government the capability to borrow on the open market.

³⁵ The Loan Agreement Bills previously put to this House were always to borrow from the Government of Canada and to restrict our borrowing to only the Government of Canada. They advised us about a year and a half ago that they wanted us to assume this responsibility. It is a responsibility that responsible Governments throughout Canada do have and one that we are very pleased to take on on behalf of the people of the Territory.

Mr. Penikett: Once again, we will not be opposing this measure. As I recall, we had one other occasion in this House where we dealt with a Bill which would have given the Government power to undertake private borrowing. As I understand, that was not disallowed so this is not in any way a controversial measure. I am reassured on that point, especially by the Government Leader's indication that this has been, not only with the advice and consent of Ottawa, but with their encouragement. I know how ready and willingly he responds to that encouragement, from time to time.

I do want to say that the \$10 million amount is interesting. This is probably, as the Member for Porter Creek East or as the Minister of Tourism and Economic Development like to point out, an historic occasion. We seem to have many historic occasions in this House. I guess this is one, because from now on, henceforth, the Territorial Council will probably be showing a line item, which is the Territorial deficit. As that accumulates over the years that figure will grow and our grandchildren will be able to look back and fondly remember the Government Leader as the man who fated the first permanent Territorial deficit. I am sure history will record his responsibility for such.

Mr. Veale: I note that the explanatory note is incorrect, then, because it does refer specifically and exclusively to the Government of Canada. I agree with the Government Leader: it does empower the Yukon to enter the open market and make borrowings up to \$10 million. I find that encouraging because the Government of the Yukon is now in a position to deficit finance, which is what is probably going to happen to the budget that is proposed.

Because of the substantial loss of revenue that we are in the middle of at the moment, in terms of the layoffs and the problems that people are having in obtaining jobs, it is most likely that this Government is going to have to deficit finance to meet the Operations and Maintenance Budget that they have put forward. So, it is fortunate that the Government is bringing it on at this time and, I should say, no coincidence.

³⁶ **Hon. Mr. Lang:** It was not my intention to speak to the principle of this Bill, but in view of the misinformation that is being distributed by the Member for Riverdale South, I thought that perhaps there should be a few corrections put on the record. For anyone in the future looking back on this day in history, the debate will reflect these accuracies that must be placed on the record.

Going one point further, the Bill before him — and obviously the Member opposite was busy doing other things — he was not listening to the Budget Speech or the Speech from the Throne. The \$10 million is allocated for specific purposes, and they are two-fold: first, for some land development that is going to be continued, and, second, for the purposes of third party loans to the municipalities for whatever undertaking that they would wish. It is not, as the Member opposite tries to reflect, for a deficit budget.

The track record of this Government speaks for itself. We have always managed to come forward with a balanced Budget. We are one of the few areas in Canada that has, and we have taken our responsibilities very seriously. As Members of this House, one of the most responsible positions that we have, and one of the most serious responsibilities that are delegated to each Member of this House, is to oversee the financial responsibilities on behalf of the people of this Territory.

Well, this Government has done it. I recognize the Members opposite are kind of in a quandry in respect to the Budget that is put forward. We have been, for all intents and purposes, very wise managers. During the good times we have managed to put monies aside, looking forward to when there could well be a lull in the economy, which presently there is, and nobody is going to argue that. That has allowed us to bring forward a Budget which does not increase taxes on the people of the Territory, like the Members opposite would like to do.

It is our contention that people are much better off spending that money themselves as opposed to having a planned and orderly development of our economy, which the Member for Faro would like. I feel quite capable, at 39 Cedar Crescent, in Porter Creek East — and the Member opposite can come see it — of planning my own future, as opposed to having Mr. Byblow figure it out for me, or the Leader of the Official Opposition or for that matter, the Member for Riverdale South.

I am confident that not only the majority of the people in Porter Creek East, but the majority of the people in the Territory feel that way, unlike what the split caucus across the way is indicating that they are going to do on their behalf. In respect to the Bill before you I think it is very, very clear: it is going to allow us to go about, in a business-like manner, the business of Government. I would suggest that the Member for Riverdale South assess my remarks and perhaps he would like to correct the record at a later date.

Motion agreed to

Mr. Speaker: May I have your further pleasure?

Mr. Graham: I move, seconded by the Honourable Member for Mayo, that Mr. Speaker do now leave the Chair and that the House resolve into Committee of the Whole.

Mr. Speaker: It has been moved by the Honourable Member for Whitehorse Porter Creek West, seconded by the Honourable Member for Mayo that Mr. Speaker do now leave the Chair and the House resolve into Committee of the Whole.

Motion agreed to

COMMITTEE OF THE WHOLE

Mr. Chairman: I now call the Committee of the Whole to order. After a brief recess we will be considering Bill No. 3.

Recess On Bill No. 3

³⁷ **Mr. Chairman:** I will call the Committee of the Whole to Order and we will consider Bill No. 3, *An Act to Amend the Interpretation Ordinance*. General debate on Clause One.

Hon. Mr. Pearson: I want to reiterate for Committee that this is not political posturing. I do not anticipate this to be an election issue. It is something that I think that we, as a Legislature, should be giving to the people of the Territory. It was part of the platform of this Government when we were elected way back in November, 1978: we were going to try to achieve as much responsible Government for Yukon as we could. I recall hearing the term used today that it is a case of "wrestling it away from Ottawa," and that is true. That is what it is. That is what it is all about.

What is represented here, though, in this particular Bill, should not be of any surprise to anyone in the House. The Member for Whitehorse South Centre raised the issue of what happened to a similar Bill in the last Session, and it was true. What happened to that Bill was that we went this step with one piece of terminology, on which we received specific instructions that we could not use. That is not the case in any of these terms that are here. In fact, except for changing "Ordinance" to "Act", respectfully, all of the other terms are reflected in our Legislation and Regulations and so on, today.

Mr. Veale: Just as a general comment, there has been a lot of discussion about the legality of the Bill, and there is at least one opinion, for what it is worth, that it is not legal. Could the Government Leader advise if any of the opinions that he has received have come in saying there are problems or, as he has assured us, I assume that they all say it is a "go". Now, are they Federal opinions as well, or just Territorial opinions.

Hon. Mr. Pearson: It is very difficult for us, as a Government, to seek Federal opinions, if the Honourable Member means an opinion of the Federal Government, because what has to be recognized, — and it is a fact of life — the Federal Government of Canada and its bureaucracy, because a bureaucracy always reflects policy of the Government, are diametrically opposed — and I mean diametrically opposed — to any constitutional development in Yukon.

³⁸ They make it very clear that they are diametrically opposed. As a consequence, we do not seek their opinion on matters such as this. However, the opinion of two very prominent constitutional lawyers in Canada has been sought, and has been received. Their opinions are both in. As well, because I do not believe that he should be slighted in any way, the Legal Advisor of the Yukon Territory who, over his years in Yukon, and as a result of what has been happening in this Territory, I believe has achieved a certain degree of constitutional expertise, both from his employment here and from his previous employment. He also agrees very emphatically that there is no legal question about it at all. What we are doing here is quite right and quite proper.

Mr. Veale: It would be useful, I think, if there were to be a challenge to this Legislation in the Courts, for these opinions to be made available. I think if there are two constitutional lawyers who take a position, they might even have an impact on an ex-Judge or a present Judge. Will they be made available?

Hon. Mr. Pearson: I could read excerpts of the opinion of our Legal Advisor, Mr. O'Donoghue, but is the Honourable Member suggesting that someone is going to challenge this Legislation in the Courts?

Any Legislation is subject to be challenged in the Courts in respect to its legality. It is a request that I am having a hard time with, to table legal advice that we, as a Government, have sought, particularly from constitutional experts.

Mr. Penikett: I doubt very much if the Federal Government had any problem with this Bill that they would bother going to Court. My guess is that they would simply instruct the Commissioner to either disallow it or, I understand, they have a year in which they could take a look at it and decide that it was not appropriate. I would sure hate, when the House was not sitting, to have some problem in the middle of the year; therefore, I am interested in the names of the constitutional experts whose opinions have been sought, other than the expertise of the Deputy Minister of Justice.

³⁹ Since the Government Leader and I have already, on a number of occasions, exchanged thoughts on the question of freedom of information, I am sure that as a matter of open government, the Government Leader would be more than happy to Table the legal opinions in the House.

Hon. Mr. Pearson: No.

Mr. Penikett: I would still like to know: who are the two constitutional experts from whom he obtained opinions? What are their names?

Hon. Mr. Tracey: I am not speaking on the question that Mr. Penikett raised, but I will quote part of the letter written to Mr. Faulkner in Ottawa in regards to the changes that we proposed to make to the Act. He is referring to the word "Ordinance" rather than "Act", and I will read what has been said:

"We have both referred to the change from "Ordinance" to "Act". We determined that what is being enacted by the Legislative Assembly is a Statute. In British Constitutional practice, within the United Kingdom itself, the word 'Ordinance' has only, in comparatively recent times, had different meaning or implication from the word 'Act'. As you will recall, when Cromwell assumed responsibility for the Government of England, the Acts of the Long Parliament after 1641 were first called Ordinances. Now, later the English reverted to the use of the word "Act".

I will quote out of Hallsbury Second Edition in regards to the British Colonies on the use of the word 'Ordinance': "Colonies possessing representative assemblies, laws propoort to be made by the Sovereign with the advice and consent of the Council and Assembly. They are almost invariably designated Acts, and Colonies not having such Assemblies, laws propoorted to be made by the Governor, with the advice and consent of the Legislative Council are designated Laws."

Now, we have a representative Assembly and Executive Council,

and we feel that we are on very sound ground in designating our laws as Acts since the laws of the Yukon are now made by the Commissioner with the advice and consent of the Executive Council and Legislative Assembly.

The Yukon Commissioner is appointed pursuant to Section 3 of the *Yukon Act* and he is appointed precisely in the same manner as the Lieutenant Governor pursuant to Section 58 of the *BNA Act*. In both cases, it is a Governor-in-Council appointment.

⁴⁰ **Mr. Penikett:** I am still attempting to find out the names of the two experts from whom we obtained Constitutional advice.

Hon. Mr. Pearson: I can and will name one, because I do know that we have his advice in writing. I am not going to name the other now, because I do not know that it is necessary, but also I am not absolutely certain that we have this advice in writing, although I personally have received it verbally from him.

The one I know we have the advice in writing from is David Elliott, from Carleton University.

Mr. Penikett: Just a small point for the information of the Minister of Justice: we all know him to be a venerable Member, but I, for one, was not around when Cromwell was.

Hon. Mr. Tracey: We are not dealing with Cromwell, we are dealing with the British Parliamentary form of Government, which we operate under today.

Mr. Kimmerly: I have three questions, and perhaps I should deal with them one at a time.

I would ask the Minister of Justice, as he was good enough to quote from a letter to Mr. Faulkner, the date of that letter and if a reply was received, and if so, what was the nature of the reply?

Hon. Mr. Tracey: The date of the letter was the 27th of November, and we have not had a reply. We do not feel that a reply is necessary. We do not believe there is any argument about it. We sent it as information.

Mr. Kimmerly: I would ask if the Government has taken the precaution to receive the opinion of legal experts, especially Mr. Elliott who is not a Yukon civil servant, is that not inconsistent with your statement that you do not believe there is any issue about the matter?

Hon. Mr. Pearson: I must rise and explain exactly what did happen. The issue was with the last Bill, and the issue was the use of the term "Minister". The Deputy Minister of Finance, in justifying the whole Bill, went through the whole Bill and justified every single section of it. The issue raised by Mr. Faulkner, who is an Assistant Deputy Minister in the Department of Indian Affairs and Northern Development, and not a lawyer, was in respect to the term "Minister," which, in fact, he was right about. We had received instructions that we should not use it in legal documents at that particular time. It has not yet changed.

⁴¹ **Mr. Kimmerly:** I would ask that because the Government received information from the Federal Government that they would not accept the use of the word "Minister", and have consequently accepted that there is no power to use the word "Minister", why would they assume that the Federal Government's position would not be similar with respect to the word "Act"?

Hon. Mr. Pearson: I am surprised at the Honourable Member whose Party is so interested in Freedom of Information. I Tabled, in this House, a letter of instructions from the then Minister of Indian Affairs and Northern Development to the then Commissioner of the Yukon Territory. Now, that particular letter referred to the Executive Council. It referred to the Commissioner in Executive Council. It referred to the Yukon Legislative Assembly and it referred to Ministers. The letter said that we, the front benchers, the Members of the Executive Council, should be referred to as Ministers, but it specifically prohibited us from using the term "Minister" in legal documents. There was no other specific prohibition.

Mr. Veale: I would like to thank the Minister of Justice for reading that short snippet of legal history to us. I was wondering if he is going to make that document public under the new Freedom of Information guidelines that the Government operates with. If not, would he read out another snippet, and that deals specifically with the word, "Ordinance" that is used in the *Yukon Act* and how that impinges on the *Interpretation Act* that we are about to pass?

Hon. Mr. Tracey: Well, I do not know about the other snippet that the Member is talking about. Maybe he is reading my mail, I do not know. What snippet are you talking about in my letter?

Mr. Veale: The part of the letter that I am assuming is there is a part that would deal with the use of the word "Ordinance" in the *Yukon Act*, and whether or not you can have another word used in Territorial Legislation. You see it says Ordinances may be passed in the *Yukon Act*, and the opinion must indicate that that word "Ordinance" is a pretty broad word.

Hon. Mr. Tracey: It is all a matter of interpretation, and that is why we have it here in the *Interpretation Ordinance*. The word "Act" and the word "Ordinance" and the word "Statute" are interchangeable. So, if the word "Act" and the word "Statute" are the same and the word "Ordinance" and the word "Statute" are the same, then the word "Act" is the same as the word "Ordinance". That is the interpretation that we are going on. There is no difference in the interpretation of the words so we are going to use the word "Act". There is nothing legal to stop us from using it.

⁴² *Clause 1 agreed to*

On Clause 2

Mr. Penikett: I just want to ask a question here at the beginning of this section about citations. Could I ask the Government Leader if he will, if not now, in some point in the discussion today, advise us what course he intends to follow if, for any reason whatsoever this Bill is disallowed from the House?

Hon. Mr. Pearson: I am very happy for the question, because it is a hypothetical question to start with, and I do not like answering hypothetical questions. The Member opposite seems to be under some misapprehension. In fact, the disallowance procedure is one that must be taken by the House of Commons. That is where a Bill will be disallowed.

The Commissioner of the Yukon Territory is required by instructions issued to him to Assent to Legislation that passes from this House to him unless he receives instructions from the Minister. Now, I do not anticipate that he is going to receive any special instructions from the Minister in respect to this Bill. It is incomprehensible. There is absolutely no reason on earth for any Minister to instruct the Commissioner not to Assent to this Bill.

Mr. Veale: What would the Government Leader estimate the administrative costs of changing all the Legislation will be? Is the Government eventually going to change all the Ordinances to Acts so that they only read as Acts, and is this going to be done all at once or over time?

Hon. Mr. Pearson: I do not know where the Honourable Member has been for the last three years. We have been amending as we have gone along. We have been making all of these amendments, except this particular one: "Ordinance" to "Act". There is a provision in here that says specifically that they are interchangeable because we have absolutely no intention of putting this Territory, or the taxpayers in it, to the expense of changing them all at one time. What we intend to do is, as Legislation comes before this House, change them in every Bill. We have been changing "Commissioner" and the meaning of "Commissioner" in the Legislation as Bills have come up. This is the one and only Bill that we will be bringing to this House to specifically change, because of these constitutional steps. We will be changing all of the others as the Bills come up.

When it is determined, and it is a joint determination by Ottawa and ourselves, that there should be another consolidation of Yukon Legislation, which is a major, major job, the *Interpretation Act* would be used and the terms that have been substituted would be eliminated in that consolidation, hopefully, in all places. Realistically, it does not quite happen but most places it would. These changes will not predicate a consolidation.

⁴³ *Clause 2 agreed to*

On Clause 3

Clause 3 agreed to

On Clause 4

Clause 4 agreed to

On Clause 5

Clause 5 agreed to

On Clause 6

Clause 6 agreed to

On Clause 7

Clause 7 agreed to

On Clause 8

Hon. Mr. Pearson: Mr. Chairman, in fear of stating the obvious, I just want to point out to Honourable Members that these are the new definitions that will be going into the *Interpretation Ordinance*, but all of them, except for the word "Act", are, and have been, in common usage in the Territory, and in our Legislation, for some considerable time.

Clause 8 agreed to

On Clause 9

Clause 9 agreed to

Clause 10

Clause 10 agreed to

⁴⁴ *On Clause 11*

Clause 11 agreed to

On Clause 12

Clause 12 agreed to

On Clause 13

Clause 13 agreed to

On Clause 14

Clause 14 agreed to

On Clause 15

Clause 15 agreed to

On Clause 16

Clause 16 agreed to

On Clause 17

Clause 17 agreed to

On Clause 18

Clause 18 agreed to

Hon. Mr. Pearson: I move that Bill No. 3, *An Act to Amend the Interpretation Ordinance* be reported out of Committee without amendment.

Mr. Chairman: It has been moved by Mr. Pearson that Bill No. 3, *An Act to Amend the Interpretation Ordinance* be reported without amendment.

Motion agreed to

Mr. Graham: I move that Mr. Speaker do now resume the Chair.
Motion agreed to

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

Mr. Chairman: The Committee of the Whole has considered Bill No. 3, *An Act to Amend the Interpretation Ordinance*, and directed me to report the same without amendment and beg leave to sit again.

Mr. Speaker: You have heard the report of the Chairman of Committees. Are you agreed?

Some Members: Agreed.

Mr. Speaker: We will proceed now to Government Motions.

GOVERNMENT MOTIONS

⁴⁵ *Motion No. 1: Adjourned Debate*

Mr. Penikett: I welcome this opportunity to participate in the Budget Debate today. I want to begin by stating a plain truth, and that is that the Yukon economy is in a bad way. On March 10, the Government issued a press release which said that Yukon's unemployment rate was the second worst in Canada last year, and early indications are that it is likely to retain this unenviable position for another year. Two weeks ago, the Territory's Economic Research and Planning Unit published a report that showed that the local economy really began to fall apart last fall. Metal prices are depressed, mineral production has fallen, and all of our mines are in trouble. Sawmills are without work, retail trade is now declining. Workers at Elsa, Faro, Watson Lake and Whitehorse have been laid off, and there are indications of worse to come. Inflation last year was 17 percent, rents increased 19 percent and home heating bills of over \$300 a month were not uncommon this winter. Yukon is in rough shape.

During the last desperate days of the 1978 Territorial General

Election Campaign, the Yukon Conservation Party promised that, "Only the Conservatives will combat inflation, unemployment and rising prices". That was their promise. This is our situation: we have record high inflation, record unemployment and rising prices continue after three and a half years of Conservative Government. This Budget is this Government's response to the worst economic crisis in the Territory's recent history. What is the response? Let me quote the Government Leader, our Minister of Finance. He said, "In choosing our priorities for the coming year, we have emphasized the social side of our responsibility as distinct from those that are broadly economic". This Government has boasted about its own achievements when the economy was relatively healthy. This Government Party promised action on prices and jobs, but what does it do now that the economy is sick? It blames Ottawa, again. Listen to their leader. He refers to the burdens of the economic environment over which we have so little control and "our economy, which is primarily the responsibility of the Federal Government".

46 In his speech he lists a series of private and public investments in the Territory. In the Budget Speech this Spring there is not a single new economic stimulus in this administration. We now find that even the record Capital Budget adopted last Fall is not completely secure.

If ever there were a time for a job-creating budget, this is it. But what did we get? We did not get a job budget. We got a lay-offs budget. The first paragraph of page six of the Budget Address is, in my opinion, one of the most deceitful phrases in all political history. I refer to the line that talks of the "reassignment of staff from Government to the private sector". Now, the Government Leader knows, every Member of this House knows, and every Public Servant knows, that you cannot reassign staff to the private sector. That is a lay-off. That is what this line means: lay-offs. The local economy cannot stand anymore lay-offs. Small businesses here cannot survive high interest rates and a further drop in a consumer demand that more lay-offs will cause.

On March 10th this year, the Government Leader issued a press release which said, "With our small population it does not take much in the way of lay-offs to affect our entire economic infrastructure". I agree. I agree, and I am sure that the Government Leader will agree that his statement holds true for public sector lay-offs as well as private.

Let us talk more about the effect of lay-offs. The area that will be affected more than any other will be Government revenue. Anyone with eyes to see and ears to hear would know that this Government, this year, will be worse than the last. Any fool can tell you that Government revenues this year will probably not reach last year's without tax increases.

47 What does the Budget say? The Budget forecasts income tax revenues to Yukon of \$23,000,000, up from last year's forecast of \$17,000,000. Does anyone really believe that income tax revenues from Yukon will rise by one-third in 1982? I doubt it. I do not even know if we will get \$17,000,000 from last year. Ask Cyprus Anvil. Ask United Keno Hill. Ask White Pass or Whitehorse Copper if this Territory will raise \$23,000,000 in income tax this year. I am sure they would laugh in your face.

The other revenue projections, established programs, financing, property taxes are also raising questions of accuracy in my mind. I submit that only an election budget would contain such an unbelievable forecast of Government revenues. Expenditures will go up and revenues will come down. So where will the money come from? Under normal circumstances I would expect to be told that the Government would draw on working capital. The idea is that if things go badly, the Government will dip into the pot and take out a little cash; however, there is a problem. I am not sure how much money there is left in the pot. I recall that at the beginning of this administration we had \$25,000,000-plus on hand. The next year we heard the working capital fund was down to \$11,000,000, quoting the Territorial Accounts. Then on April 6th last year in answer to a question in this House, the Minister of Finance indicated that our working capital position was down to less than \$5,000,000. This year he told the *Toronto Globe and Mail* that he would go into working capital to accelerate completion of the new Porter Creek School.

Now, we know that we have a large interest payment on the land to make to the Federal Government. What is more — and I express this

sincere concern to the Government Leader as Minister of Finance — if our income tax revenue projections are wrong, presumably Ottawa will require us to repay the excess money advanced on this account. The question must remain, where will the money come from?

48 Last year, the Minister, in debate on his Supplementary Budget, told the House that accurate figures were "utterly impossible to estimate". Well, I do not find the revenue forecast for 1982 believable, and I am quite prepared to accept that the expenditure forecast for 1982 is utterly impossible.

The question is raised, are we spending more and getting less? For last year we are \$10,000,000 over budget. At that rate, we should spend \$150,000,000 this year, not \$137,000,000, and unless the economy has a healthy recovery soon, we shall be laying off all public servants and cutting programs or raising taxes, or both.

It has been suggested that the Yukon Operation and Maintenance Estimates for 1982-83 are a maze. Well, the detail is amazing and I do hope no one in this Government is planning an early holiday or an early Spring election with this Budget because it will take us quite awhile to get through it. This is not a business-like Budget. It is an election Budget, and the economy is proof of the seriousness with which we can take the last set of Tory election promises.

"Only the Conservatives will combat inflation, unemployment and rising prices." What a joke.

What is the alternative? Let us start with us. Let us show some leadership. On April 1st, we MLA's are due to get a 17 percent raise. Let us cancel it, or reduce it. Let us show that we care about the taxpayer. Let us admit that in terms of managing the Territory's economy we have not collectively earned our pay.

The Member for Porter Creek East laughs. He is the one that brags about what this Government does when the economy is up and then says, "Oh, it is Ottawa's fault" when it goes bad. Let us open our eyes and look at the economy. Let us remember that the economy was made for man, not man for the economy. People do not live to work, they work to live. Tenants do not exist to serve landlords, as is the view of the Minister of Justice. The reverse should be true. Government exists to serve people's needs, not to frustrate them.

I say, Mr. Speaker, and I say this to you and to all Members of the House: if the Conservatives do not believe in Government, why do they want Government so much? Why do they cling so tenaciously to power? They want to preside over the Territory and do nothing? Yukoners sense that this Government does not believe in the people of Yukon, contrary to the protestations of the Minister for Economic Development.

49 They can sense that this Government does not believe in itself. Why welcome those who come North to make a killing, but not care for those who came here to make a living? This Government whines about Ottawa's control of the economy but it will not take more control for itself. The Government demands more and more power, but it refuses to use the powers that it already has. Every time there is some sensible suggestion for an economic initiative they say, "we do not believe in that". Any time the public complains about their failure to take any economic initiative, they say "Oh, that is Ottawa's fault".

The people of Yukon have many needs, real needs. Some of these could be met now by Government action. We need jobs and housing now. We have the land, we have the materials and we have the skills. If the economy does recover, in spite of what the Tories are doing to it, we will need them even more in that recovery. The Minister responsible for the economy finds the economy a laughing matter. I do not. The Yukon Housing Corporation could now be using available federal funds to build houses on Government-developed lots around the Territory, lots which are sitting idle, empty right now, not returning or producing any return for this Government. Such a program could employ local contractors, local small businesses, local labour, local materials to supply the long-range demand for private houses. Measures like this would not only increase employment and consumer spending, on which many small businesses depend, but it would moderate local housing prices as well. It is only the Conservative do-nothing attitude that prevents it from taking this obvious step.

Even the problem of mortgage-interest rates is not completely insoluble. In this regard, look at Manitoba and Saskatchewan. At one

time, I understand, the Yukon Government even assisted homeowners in Porter Creek — Yukon Government — when the local banks would not. Consider this: Yukon Workers' Compensation fund would certainly get a better return from Yukon mortgages than it has from some of its other investments over the years.

Yukoners need training, but it is still not clear from the Budget where our priorities are in this area. The mining industry will need skilled workers in the years to come, but mining is still not a designated trade in the Territory. Yukon needs an economic plan and I say, in all seriousness, to the Minister responsible for Economic Development, who has something called an Economic Research and Planning Unit, that if this Government does not do the planning, the Federal Government sure will.

So will outside economic forces. We still do not have an economic plan, and the President of Yukon's largest mining company is rightly criticizing this Government for that failure. We do not even have a long-range transportation plan and that is basic for maximizing our economic potential.

The Conservatives wail about the lack of local control over the economy but it has not taken the most obvious steps towards the creation of a stable, healthy, diversified economy.

Now someone was complaining the other day because the Government made reference in one of its recent announcements to the creation of an Alberta-style Heritage Fund, which would be a savings account. Like the Alberta model, the decisions would be under Cabinet control. Well, I disagreed with the criticism that it was inappropriate to set up such a thing now. By the same score, I would argue that we should be now creating a publicly-owned Yukon Energy Corporation and give to it a gas distribution franchise for all of Yukon while simultaneously bargaining for the takeover of N.C.P.C. and Yukon Electrical Company. At least part of the objective, I would believe, is shared by most Members of this House.

We could create a Yukon Development Corporation now in order to get a fair share of the benefits of resource development. Let me point out that I recognize that we have a constitutional problem there, in terms of control, but, instead of just complaining about it, why do we not do something. If there really are mineral properties about to go into production in the next little while, why do we not seize that opportunity? Why do we not consider a proposition such as this: we create a Yukon Development Corporation. This Corporation could then enter into joint ventures with the developers, and our equity could be commensurate with our investments in such things as roads, schools, hospitals and recreational facilities for their development. That would return to the people of Yukon a share of resource revenues without requiring any constitutional changes whatsoever.

Our Government Leader says that it sounds like funny-money. It sounds no more like funny-money than continuing to brag that this Government does not have a deficit budget, when 100 percent of the deficit is entirely funded from Ottawa. We should invest more. I agree in the initiatives in terms of tourist attractions like parks and campgrounds. I have been joking over the years with the Minister responsible for Tourism about his initiative in terms of public housing for American tourists. It is interesting that he opposes it for local residents but supports it for American tourists.

I agree. Let us make better use of our renewable resources. I say this seriously. In spite of the commendable initiatives by the Government, we still have a very poor idea of the value of our renewable resources. ERPU reports take no account of the traditional economies in this area. Economic Accounts come to a total as if those economies did not exist. It is also true, that the renewable resource based communities, and those people engaged in those activities, take very little in the way of services from this Government.

I say in all seriousness, let us find the will to find the way out of this economic mess. Let us not wait for Ottawa or the Americans or megaprojects or manna from Heaven. Let us show some faith in ourselves. Let us be honest about the financial crisis facing this Government. Let us not play constitutional games. Let us govern as if governing were important. Let us resolve to do better.

I believe Yukon deserves better. I believe we should resolve to begin anew today. Therefore, I move, seconded by the Member for Faro, that Motion Number 1 be amended by deleting all words following the

word "House" and substituting therefore the following words: "condemns the budgetary policy of the Government and, in particular, reference to the 1982-83 Budget, regrets the absence of an accurate statement of the revenue for the Territory, of an economic plan for Yukon and of any initiatives to create new jobs in Yukon".

Mr. Speaker: It has been moved by the Honourable Member for Whitehorse West, seconded by the Honourable Member for Faro, that Motion No. 1 be amended by deleting all words following the word "House" and by substituting, therefore, the following words: "condemns the budgetary policy of the Government and, in particular reference to the 1982-83 Budget, regrets the absence of an accurate statement of the revenue of the Territory, of an economic plan for Yukon and of any initiatives to create new jobs in Yukon."

Speaking to the Amendment.

Hon. Mr. Lang: I have to rise in respect to some of the comments that were made by "the Leader of the Official Opposition", and it totally amazes me, when I look across the way, to think that somebody in that capacity may well be seeking the position of the Minister of Finance in a Government. Perhaps he should get better advice from his colleagues, who are obviously split on many matters as was earlier demonstrated, and also, perhaps, from behind the scenes, where we pay good money for advice for the Leader of the Official Opposition.

It is very, very clear that in the Operation and Maintenance side of our Budget, we came out with a surplus of \$735,000, and in our revenues, we had an increase of \$5,000,000. We had underestimated our expenses, yet the Member Opposite has the audacity to stand in this House and say the exact opposite, when here it is in black and white. It is not a question of what I said, not a question of what the Member for Porter Creek West said, not a question of what the Member for Old Crow said, but it is right here in black and white. So, perhaps what I am offering the Member Opposite — in respect to the real interest he has in the Vocational School — I should point out that there are very preliminary courses there for Accounting.

Taking it even further, he talks about the deficit. We made it very clear that we had to accelerate our capital program, and it is very clear. It is right there. Roughly \$10,000,000 was brought forward for capital projects that we estimated had to go ahead, in view of the fact that people were bidding on a two-year program and, in some cases, on a one year program, as opposed to what it was in the past. Perhaps it could have been a three-year program.

I take a look at the Member Opposite and I hear him. He says we blame Ottawa for our economy. We are not totally blaming Ottawa for our economy. We recognize even some things are beyond their capabilities. There are problems in respect to the administration from Ottawa, there is no question — even if the Member Opposite agrees in part with some of the things that they do that we disagree with. If the Member Opposite had taken the time to listen to *Insight*, he perhaps would have got a very good lesson this afternoon in respect to the capital programs that we are going ahead with in this forthcoming year, not for the sake of strictly creating jobs, but for the sake of the short term as well as the long term of the economy of the Territory. These will provide employment for people in the construction business in the process of building Yukon.

We have road-building dollars allocated. We have interpretative centers coming down for the tourism industry in Watson Lake. In Carcross, we have some tourism projects going. In Dawson City, we have tourism projects going. Yet the Member Opposite has the audacity to stand up and criticize this Government for what we have done, partly, in the area of tourism. Approximately 10,000 more people than last year can be accommodated in Dawson City because of the initiatives of this Government, if you calculate it in hotel/bed nights.

I recognize that that does not create jobs. Of course, the Member Opposite would say it would not. That recognizes that there is going to be jobs in Dawson City that will spin throughout the whole economy. In Whitehorse, for an example, we have had an investment of approximately \$4.5 million in a major hotel. We have also seen a major wholesaler in the process of purchasing one of the hotels, which will give us the access and the assurance of that broad tourism market that we have to search out.

Over the course of the last three months, we have been working very hard with a local carrier to get the route between Juneau, Fairbanks and

Whitehorse, which we believe is important. Hopefully, it is going to come out well for the company that is applying.

33 The Member opposite obviously has not read the Supplementaries. I would suggest, like he similarly suggests to me sometimes, that perhaps he should take his large staff to task and have them re-evaluate the Supplementary Budget that is before you that translates into our projections for 1982-83.

The 1982-83 projections were also taken into account when we had a nine month strike at Elsa, which was to be a considerable source of income to us, but did not materialize, so there are things happening, in respect to the total Territory, respecting the overall generation of income. We have major projects ahead of us. We have the implementation of the fourth wheel.

I do not know what the Member opposite thinks, but obviously people are going to have to work on it. Now I am not going to say that it is going to be the end-all and the be-all, but there is at least going to be an influx of finances to this Government, in the area of \$50 million. The Shakwak Valley project is going to be continuing. There is Alaska Highway work being done, so as far as the various levels of Governments are concerned, there are projects going ahead.

I find it very difficult to listen to the Member opposite — the Leader of the Official Opposition — who sits there and condemns this Government for the things that we have been doing. He is the President, also, of the National NDP. He talks about public housing and how that is going to help Danny Lang on Cedar Crescent, or some other person who is trying to carry their mortgage out there, and at the same time, hopefully, will never have to pay the excessive taxes that the Member opposite would have imposed in this House.

I would say to you, Mr. Speaker, there was the possibility that a mortgage deductibility scheme for all Canadians could have applied in Yukon, yet the New Democratic Party, which he is such a proud Member of, took the Government down over 18 cents. He wanted a Canadian blended price of 67 cents. Now, the Member opposite seems to talk out of both sides of his mouth. On one side he says public housing is going to solve our problems, whether it be in Porter Creek or Hillcrest. We have a three percent vacancy rate right now, yet the Member wants to build houses, which in my view, would partly probably be empty, and I would have to pay the fuel bill there along with my own.

I say to you, the people in Porter Creek East do not wish to have that happen. They have enough problems packing their load right now, and the greatest service that every Member in this Legislature could do is try to do everything possible to keep taxation down to a minimum.

We have Tabled a Budget with no tax increases, one of the few areas in Canada that can stand up and say that, yet the Members opposite blame us for it. Over the times when the economy was high, we managed to put money aside, as opposed to spending it rapidly as the Members opposite, especially the New Democratic Party, would do: spend, spend, spend, grant, grant, grant. Well, this side of the House is responsible. We recognize we have a responsibility when the economy is high as well as when it is low. It is called financial management. I recognize the Member opposite is taking a look at his copy of the Supplementary, page 1. Perhaps he has not read that far, but he should analyze it more closely before he takes off on one of his diatribes, planning my life for me.

34 There are places for Government; there are not places for Government, and one of those is not to have the Official Leader of the Opposition plan my personal and private life for me.

Taking that one step further, last year the Member opposite who talked about getting into the Workers' Compensation funds; last Session he talked about opening up the *Income Tax Act*, and it is all in the record. Well, I say to you, as a worker in this Territory, I would resent it very much if any politician should get their hands on that money. That money is there for a specific purpose. It is paid for a specific purpose and it should be paid out for that particular specific purpose, and that is to protect the workers in the Yukon in respect to accidents on the job. That type of talk, because he sees it as an area of the Budget, and feels he could perhaps get his hands on it, is very disillusioning.

We talk about Dawson City. We talk about what this Government has done in respect to the general economy. We have had a good economy. Granted, things are not as good as they might be, we have

some lay-offs. This Government has taken action, for example, in Mayo, through the actions of the MLA for Mayo. All the workers in Elsa were granted an interview, and hopefully there will be some jobs for them with Dome in the Beaufort Sea. This is going to create a major economic stimulus for us, if things go ahead as they appear to be planned, especially in view of the fact that the Dempster Highway is going to be maintained — which the Member opposite stood up in this House and criticized because he would sooner put the money someplace else. I recall that very vividly; it was approximately two years ago.

On one hand he is for roads; on the other hand he is not. I say to the Members opposite: they have a responsibility to be counted. The Member opposite stands up in this House and talks about a new type of Government, a different system of Government, with fairness, where everybody is going to be happy, the panacea. Well, I think it is time he got responsible and tells the electorate just exactly what his intentions are. Is he going to make it a two-class system of Government? I think these are questions that he has the responsibility to answer because, in part, the Legislative authority lies within this House.

On behalf of the Conservative Government, we know where we are coming from. We believe in one Government. We believe in a Government that is administered in such a manner that opportunity is there for all and everybody is treated equally before the law.

35 As we get into debate later on in the course of this Session, perhaps the Member for Faro may change his mind again and join some other Party, once he hears and is able to assess what his so-called leader and his so-called supporters have to say in respect to the overall economy of the Territory. I think it is time they started talking about what "government" means, because I do not believe that people of the Yukon can afford an individual, or individuals, who in some cases perhaps spent too much time at school, to come in here and practise theories on the real rights of the people of the Territory.

I ask this in all sincerity; I think it is a very valid question. I think a lot of Yukoners want to ask it. I recognize how easy it is to be in the Opposition. It is very, very easy. You do not have to be responsible for the decisions. There is no problem. They are going to take up every *cause celebre*. They have a responsibility to come forward and very frankly tell the people of the Territory just what costs would be the burden of the taxpayers of Yukon if they are going to institute everything they say that they would.

I am not an economist and I do not pretend to be one, but I also recognize that when I hear the statements about the various schemes from the Member for Whitehorse South Centre, or from the Member for Whitehorse West, or from the Member for Faro, that they are going to launch into, it is going to cost money, and it is going to cost a great deal of money.

Unlike the Members opposite, we do not look at Government and the people as "them" and "us". We look at them as "us". The people of the Territory are the ones who pay the bills and expect certain social services to be delivered, and we will continue to deliver those services. The Members opposite, I think, have a responsibility to come up front and say exactly where they stand, what the costs are, and exactly what are they going to do to the lives of the people of the Territory if they ever, God help us, become Government.

I think there are a lot of things being said covertly, that these are the things they might do and might not do. From my examination of his ability to read a financial statement, all I can say, on behalf of the people of the Territory, please, please, we cannot afford him as Minister of Finance.

Mr. Veale: I am reminded of a parable of the talents. You know, the Government did, in fact, lay some very hefty taxes on the Yukon taxpayer last spring: one cent a litre of gas tax; they substantially increased the health premiums, doubled and tripled and, of course, lo and behold, they have produced a surplus.

36 The Yukon taxpayer has provided this Government with a surplus. Of course, where has it gone? That is where the talents come in. We have the Minister of Justice putting his talents into expanding the Correctional Institute. Most recently he was working on actually trying to make sure he could fill that Correctional Institute. We have the Minister in charge of Highways and Public Works and Municipal Affairs holding an enquiry to find out that the people of Yukon did not

really want to do what he wanted to do. Of course, we have the Minister of Health. I think she took hers to Paris, but I am not sure. It was paid by the Canadian taxpayer.

The Minister of Renewable Resources indicated that he was quite interested in spending his talent on having one of those little height things to make sure that we do not lose another bridge. I was astounded to find out today from the Minister who is now acting again that nothing, absolutely nothing, has been done. I mean, we could have a truck rolling down the highway and another disaster happening before we know it.

Of course, we know what the Government Leader did with his talents. He hired a Public Relations man to tell the people of the Yukon to like this Government. But the amazing thing is that essentially we have all the Members of the front bench coming back to us without any talent whatsoever, because if they really had some talent they would come and admit that their budget is a masterpiece of deception. They know that the revenue projections that they are selling to the Yukon people today, to establish that they are fiscally wise in managing the Yukon properly, is not there. They know that events in the last three weeks have overtaken the budget estimates that they made and the revenue estimates that they made, and they are not going to be fulfilled.

Why can this Government not come forward and say we have to budget for a deficit? Why can the Government not be honest with Yukon taxpayers and come forward now, even if it is an election year, and admit that they are either going to lay off Government staff substantially or they are going to increase taxes — because maybe they will not be around after the election to pick up the pieces. When we form the Government, we are going to have to pick up the pieces, and it is going to be a hard message to all Yukoners, to tell them that they are going to have to pay increased tax because of the squandering that has taken place.

⁵⁷ I also challenge all Members of the Legislative Assembly to forego any increases that we are supposed to get this year to demonstrate our belt-tightening. I challenge the Government to cut all their Executive Assistants, to demonstrate that they did not really need them for three years, why do they need them now? I mean if we have to really cut, let us cut ourselves and let us cut some of the fat.

Hon. Mr. Lang: Cut your legal fees.

Mr. Veale: I cut my legal fees all the time for my clients. I am happy to do so.

Mr. Speaker: Order, please.

Mr. Veale: Let us consider who really gets hurt by this Budget. It is not the Executive Council. It is not the Ottawa office. Those who really get hurt are the people who can least afford to be hurt. Those are the people who are going to require a greater amount of social assistance than we have ever had to have in this Territory because of lay-offs. There is a six percent increase in that area. That is not going to keep up, and provide the people who are really going to be in trouble with any help during this next year. Of course, it is not a job-creation Budget. We have seen through that. It is going to be a job disappearance Budget. There is no question about that. Of course, what about those people who require expanded alcohol and drug services? Well, they are not going to go up with everything else. What about those people who use public library services? They are going down or standing still. Of course, what about our wildlife resources? There is a substantial cut there, a very substantial cut, it is right in the Budget. Of course, Court Services are going to be cut back. Legal Services are going to be cut back.

What, I ask, is going to be done for the renters? What is going to be done for people paying the high food prices? We had a study that took over six or eight months. It has been Tabled in the Assembly. The Government has not announced a thing about adopting those recommendations and implementing them, to really help people who are going to need it. Of course I am quite interested to note that the Government is now saying the vacancy rate in the Yukon is at 3 percent, and there are no problems.

⁵⁸

The Minister responsible for Yukon Housing and I both know that that is only a partial solution, and it is likely to be that we will have a greater vacancy rate as the summer goes on, if lay-offs continue. But the real

problem area that the Government has not addressed relates to people who are in public housing units, and there are 30 on the list waiting to fill five vacancies. That is a very serious problem, and the Government really has not addressed that at all, in terms of the creation of more housing units, which will also stimulate the economy and stimulate employment.

I am also very critical of the way this Government implements contracts. I refer to the contract to build the school at Old Crow. In my thoughts, the Government should have put two alternatives to the people of Old Crow and said, "We can bring you a pre-fabricated, Alberta-made, Alberta-assembled building, which we will get up, hopefully, by September, so you will have this nice, pre-fabricated building," or, "We can offer the people of Old Crow long term jobs to build that school from local material using Whitehorse tradesmen and people in Old Crow over a longer period of time. We may even spend more money doing it, but you will have those jobs." I submit that the people of Old Crow would take those jobs and would suffer the inconvenience of having to be in temporary school facilities so that there would be real economic stimulus in that community.

By the same token, I do not understand a Government that has the opportunity to use its discretion, and not necessarily go for the lowest tender, that when a Yukon contractor comes in very close to the line, to say, "We are going to exercise our discretion because instead of laying off people, which that contractor had to do, he will be able to hire people."

One of the major areas that our Party feels should be addressed is an area where we have the resources now. We have all the potential in our hands. It is not a megaproject, it does not depend on the United States, it is not the Beaufort Sea, it does not depend on what happens with the world oil price, and it does not depend on the Federal Government for money to expand the White Pass.

⁵⁹ What it is, is taking a look at the fur industry that we have in this Territory, the leather industry that we have in this Territory, that we are not maximizing. We do not even collect all the moose hides that are shot in this Territory and use them productively. We have just started to make a Yukon parka and without any assistance from this Government, that is a little industry that is starting to move. There are now 20 people employed in that industry and they are making 100 parkas a week. We can develop that substantially.

What we can do is do what this Government fails to see: use some of the money they have available to assist the expansion. We can provide the marketing expertise, and we can have an industry that really does not depend on megaprojects. This Government has spent thousands of dollars following the Alaska Highway Pipeline, and they are probably going to do the same thing with the megaproject in the Beaufort Sea. But, what about doing something as simple as establishing a local industry that is going to employ people, that is going to make money, is going to be good for tourism? Why not use our heads and use what we have now? Then we will not have to take the attitude that Ottawa is not going to give us the millions of dollars required to expand the White Pass, or whatever the situation is. Let us use what we have.

The other thing that can be done, when we talk about local contractors, is to ask contractors that come into build any major public building to really use local contractors. Of the money that went into Dawson for the new hotel, unfortunately, I am not aware of one local contractor who got anything on that job. There were a number of Whitehorse contractors who bid it, but they did not receive any contracts. I understand the problem that the Government has mentioned there, because they say when they get Federal Government money they cannot put any conditions on it. It is an attitude, and you can be sure, because after the turning down of the contractor recently in Whitehorse, I expect contractors are going to be very pessimistic about submitting bids on this sort of thing.

In conclusion, I would like to see the Government really give some thought to using what we have at hand. It may be a fish industry, it may be a leather industry, it may be a fur industry, but we have the resources, we have the people and we really have the money to get employment going in this Territory.

⁶⁰ **Hon. Mr. Tracey:** I was not going to rise, but I have heard so many statements here today that I have to stand up and say a few words. First of all, I would like to take the Leader of the Opposition to

task for the statement he made that I believe renters exist for the benefit of the landlord. I think the Honourable Member across the floor thinks the other way around; that landlords are around for the benefit of renters. I wonder who he thinks is going to build the buildings if they cannot make a profit at it. He is insisting, and keeps on insisting, that the landlord should operate for nothing. He wants us to have rent controls or to freeze rents, do everything to protect the renter, let us forget about the landlord. There are lots of books, such as this one here, about rent control, that show how effective rent control is.

He also talks about local home building, that we should go into government subsidized housing; we should go further into housing for low income people. I think he forgets that whenever we do that, we lose more and more of our control to the Canadian Mortgage and Housing Corporation or the Federal Government. It is all subsidized housing. We cannot recover the cost, and we are stuck with it. The Honourable Member opposite should live in a small community where it is all Government housing and he would soon find out what happens. Nobody will build a house because it is cheaper to live in subsidized housing. Even people who can afford their own home will not build their own home for exactly that reason: it is subsidized and they can afford to live there cheaper. He should go live in a community like that and he would soon find out.

The Member for Riverdale South, in which my home in Whitehorse happens to be, makes me sorry that I have to be represented by a man who has ideas like his. He says that I want to expand the Correctional Institute. I would never want to expand the Correctional Institute. I have to answer to him and to all the other Members across the floor as to why I do not expand it when there is a demand for the use of it and the facilities are not there. There is no way in the world that I want to expand the Whitehorse Correctional Institute.

⁶¹ But, while I am at it, I will be happy to tell the Member opposite that I am expanding the Correctional Institute at this time, without new construction. I have a project going on in that Correctional Centre right now that will almost double the capacity. Just for the Member's edification I will let him in on it.

He says that the Budget is a masterpiece of deception. Why does he not tell us where the deception is? Where is the deception? He says that we are not going to recover the revenue. Last year, we proposed a Budget that showed \$22,000,000 revenue, and we ended up with \$4,000,000 more than that, \$26,000,000 revenue.

Last year, as the Minister of Tourism and Economic Development said, we had a shutdown at United Keno Hill with all of the staff laid off for nine months and no revenue coming from there, and we still showed an increase. Right now, the staff that is laid off at Cyprus Anvil and the staff that is laid off at United Keno Hill Mine certainly do not add up to a loss in revenue to equal the nine months total that United Keno Hill was shut down.

He says that we should take a cut in salary. As the Leader of the Government said, I do not hear him saying that he is going to cut his lawyer's fees. I do not see him standing up here and telling the Government that we should tell all the Members of the Public Service that they are not going to get an increase at all, that we are going to stay the same, or cut their salaries. I do not see him agreeing to that. If we stood up and said that, he would most likely be the first one to jump to his feet. He is trying to use a political ploy to try to shame the Government.

I am not ashamed to take an increase in salary. I think I work for it. I am not afraid to give the Public Service an increase in salary, because I believe they work for it. I am certainly not prepared to take a cut, unless everybody takes a cut.

He wants to know what we are doing about the food study. Just because there are recommendations in that food study does not mean that we can accomplish them. We are looking at it. We are accomplishing many of them. We are working, right now, on the Agricultural Development Council, and setting up an Agricultural Policy so that we can get agricultural land turned over. That is just one of the things we are working on. We are working on many others and, later on during the Session, we will probably have a little more to report on the food study.

He says the three percent vacancy does not mean anything now. During the 0.7 percent vacancy last fall, or a little while ago when he

was complaining about it, he was using the same statistics to tell us that we should be supporting rent control, and now the same statistics do not mean anything anymore.

⁶² I would like to know what the Member really thinks. Respecting the contract in Old Crow, he says that we should have offered them two alternatives. The Government Leader and the Minister of Tourism and Economic Development went to Old Crow when the school burned down and heard their reports. I went to Old Crow and spoke with the Band and with everyone there, and everyone of them supported a modular school because they wanted a school there as fast as they could get it. We were prepared to give it to them. It would mean at least three years before they could get a school if we were to have the school reconstructed.

Is the Member across the floor really saying that those kids in Old Crow should do without a school for three years while we are building a new one? It takes at least three years to build a new school in that manner, and we went to the people of Old Crow and we got their response. Their response was that they wanted a modular school by next fall and that is exactly what they are going to get.

He talks about us giving preference to local contractors. This is the same Member of the same Party that brought the Charter of Rights in the Constitution that says that we are not even going to be able to give any preference, and we are not going to be able to stop anybody from coming here to work. It is his Party that brought that. That is what he wants — that is, when it is convenient for him, he wants it.

We are all supposed to be equal. We discussed in this House what we should have for a bid preference, and we thought that we could probably live with five percent. It is the taxpayers who have to pay for it. Certainly, I am not prepared to say that because a Yukoner's bid is 10 percent extra that we are going to give him the job. Every Yukoner's bid would be 10 percent extra from then on. All we would be doing is cutting off our noses to spite our faces.

He talks about business loans to businesses. As the Member can probably recall, we passed an Ordinance in this House three Sessions ago, the *Small Business Development Ordinance*. We passed that because we were going to try to negotiate with the Federal Government to start a fund with which we could fund small businesses. His Government, his representatives in Ottawa, will not give us that money. They will not allow us to have that flexibility to help small business in the Yukon Territory. No, that is not what they want. They want us to take over the small business loans so that we can offer high interest loans rather than low interest loans.

⁶³ Now, it is not all Ottawa's fault, but certainly this side of the House is trying to do as much as possible for these people.

He mentions the company that is making parkas and that we should give them our support. I went into business because I thought I had an idea that would make money. They have gone into business with an idea that will make money. They have proven it will make money. If they stay at it, it will continue to make money. I do not think it is my responsibility, or every other taxpayer's responsibility to give them more money so that they can make more money. They have proven they have the ability, let them go at it. They are doing a good job and they will feel a lot better for it when they do build a really viable business, that they have done it on their own, without the support of Members like the Member opposite.

I think we have done a very credible job of managing the Government, therefore, I will not support the amendment to the Motion.

Mr. Byblow: Given the hour of the day I would like to address the amendment, however, I would move adjournment at this time.

Mr. Speaker: I would think adjournment would not be in order as the Rules of the House would call at this time for a recess, unless it is the intention of the House not to sit this evening.

Mr. Graham: It is our intention to sit this evening, however, if the Members opposite wish a recess, we would not object.

Mr. Speaker: Very well, I will now stand the House in recess until 7:30 p.m.

Recess

⁶⁴ **Hon. Mr. Byblow:** When we left off this afternoon, we were debating the budgetary policy of government and it is with some deep

concern that I rise to support the amendment. I do not think I can be as eloquent as my colleague, the Leader of the Opposition, but neither will I be as incoherent as the Minister of Economic Development. This Budget is not businesslike and its accuracy is questionable. It does not present a responsible fiscal approach to the economic problems facing us, nor does it create the initiatives expected from Government, to offset the unemployment crisis upon us. This afternoon we heard from some of the Members opposite of what a wonderful and glorious leadership their Government was providing towards addressing the economic distress of the Yukon. They are building fourth wheels and they are setting up business loans, and they are stepping up construction of schools, they are building hotels in Dawson.

If there was ever any greater hypocrisy than what was uttered this afternoon in these Chambers, I would like to know when because — it has to be repeated — on the one hand the economic woes are the fault of the world economy, or those terrible Feds, but in any activity precipitated, again, either by the Feds or the world economy, it is the result of some benevolent wisdom of the Territorial Government. I heard the Minister of Economic Development say how his Government got the money for the fourth wheel, Federal money, of course, but I sat through three days at the Public Utility Hearings and heard nothing but silence from this Government towards influencing the sky-rocketing energy costs. I listened to the Minister of Justice this afternoon remind us of how his Government cannot set up low interest loans money because the Feds just will not let it.

⁶⁵ I cannot believe that they will not let it happen. Even I can set one up, with or without Government. I also listened, in painful silence, to how the Minister of Economic Development would have us believe that the process of local enterprise, or the successes of local enterprise, is somehow attributable to the vision of this Government. Therein lies the problem. This Government has no vision, and what is more, they not only admit that they do not have one, they do not think they should have one.

The Minister of Economic Development does not think it is the responsibility of Government to have any kind of an economic plan. He talks about split Parties, and I submit that he should then reshape his Government's commitments from the Spring of 1979, which was a commitment to develop an economic strategy for Yukon. And if that is not enough, the same Minister, this afternoon, on a CBC talkback show, in which I also participated, told the people of Yukon that the economy is in fine shape, that the Government is doing everything it can and should, and that any more direction by Government in economic affairs would be undermining free enterprise.

I could not believe it. I wondered if he was talking about the same Territory. This Government has demonstrated its' performance. I think it has failed miserably, and this Budget is a further testimony. A Budget ought to portray as clearly and as predictably as is reasonably possible, the revenue and expenditure statement of an operation, a statement permitting some flexibility but indicating distinct direction. This Budget, while it would not pass approval by any Board of Directors — and perhaps it should not have to — fails, in a substantive way, to address the economic and unemployment concerns of the Territory, a direction that is necessary and obligatory by Government, especially in times as are prevalent in Yukon today.

I had the occasion, about six weeks ago, to visit the area of the country from which I came, Saskatchewan, and I was royally hosted by a particular Government in Regina. It was a refreshing insight into how Governments can influence economies and affect employment. I submit that this Government knows as much about the business of economies and employment as any Tory traditionalists would know anywhere. But they do it better. They do it without a plan. I am afraid that this Government could use a lesson in economic development strategy.

⁶⁶ More simply, in economic planning this Government has enough jurisdictional area to affect the development of that planning. It seems clear that Government must assume the leadership responsibility towards economic planning in Yukon. Certainly, while Land Claims settlement and native participation in resource development are part of that responsibility, it does not preclude that nothing can be done to put a strategy in place now, or that it could not have been put in place

anytime in the past two or three years. Imperative in any Government strategy on economic development must be that publicly-funded projects employ local labour, and an insistence that YTG jobs be filled by local labour where qualified applicants are available. As already mentioned by the Opposition Leader, the necessity of a Yukon development corporation to enter into joint ventures in order to secure a fair share of economic development benefits is a must.

The greatest resource of the Territory is not only in the ground, it lies in its people. It is Government's job to encourage in equitable fashion the participation of people in Yukon's growth and its development. And among the other incentives towards an economic development plan on a Yukon scale, not a megaproject scale, Government must provide, in a budget, assistance to local family community-oriented enterprises in renewable resource and in business. It is not enough to say, "We will create a small business fund if the Feds give us the money." You have to show the initiative and the leadership yourself and get out and do it. The onus lies with Government to lay out a strategy for economic development, the projects of that strategy and the supporting initiative and leadership to responsibly deliver the goals and objective of that strategy. It was only recently that I read about the condemnation of this Government by a president of a particular mining company. That does not speak well at all for the confidence of investors to Yukon. This Budget does little to restore that confidence. We are in business, we are in business for the people of Yukon, we are in business with Yukoner taxpayer money, and this Government is not delivering a fair product.

⁶⁷ Just what does this Budget do? What does it purport to do? I see that the Economic Research and Planning Unit gets a cutback, so economic planning is obviously not a priority. Small business, as mentioned, might get a \$100,000 boost, fully recoverable, but no incentives, specifically, from this Government. Apprenticeship training gets \$54,000, but this is a Budget of \$130 million. Fifty-four thousand dollars? On that radio show this afternoon that the Minister participated in, it was pointed out by at least two callers that training programs ought to be put in place now during this economic lull and in preparation for our labour needs. But, what do we see in the Budget? We will have to find the details out as we go into the Votes. We see probably 20 or 30 teachers being cut at a time when society is demanding a vocational thrust, a better pupil-teacher ratio, and clearer direction and philosophy in education today. We do not see any fewer many years in administration, so I raise the question.

I heard also this afternoon somewhere that the NDP, and it is "NDP", not "NDP Party", would spend the coffers of the Territory on lavish programs. This is the Party that has proposed not only to forego a pay hike for its sitting Members as a demonstration of sincerity in curbing expenditures from the public pot, but we have also gone without a researcher while we did our own work, and now we can afford two — two for the price of one. That is just a tiny sample of some economic planning.

Speaking of Members' pay hikes, the Minister of Economic Development, in a moment of weakness this afternoon on the radio show, thought it would be a fine idea. He actually agreed with me, that foregoing our pay hike would be a reasonable act, a responsible act. Far be it for me to suggest developing a split in the ranks across the floor.

I will not go on. I do not see this Budget creating jobs. It does not indicate any economic diversification or development or planning. I simply do not believe all the figures. At best, we are debating a glorified interim measure, and this Government should be reviewing what it has brought in, perhaps with a little more economic and practical, realistic sense.

⁶⁸ **Mr. Fleming:** I am rising, of course, not to support the amendment. I have listened to the fairytales here this afternoon, and fairytales they are. The Liberal leader would like me to spend all my time ridiculing the NDP.

On these worrying problems, the gloom and the doom over Faro maybe losing a few people, and other mines, of course, are losing a few people, I wonder how long we have been in this world, undergoing the odd depression that perhaps these youngsters have not even seen yet and they worry about all these things. I wonder if they would just think for a minute that maybe the whole issue might be just a sort of a

healthy thing to go through.

The Honourable Member is always worrying about whether the Government has it figured properly, as to how much income tax they are going to get back. Of course, they all know that it says that we get 43 percent. I am not going on with all the big figures that the Honourable Member had, all sorts of figures that only the Lord knows where they come from.

I would just give an example of where you might not lose so much if you would look over your income tax book very carefully, as to what people pay, and then take an example of what may happen in Faro this summer. This is something that may happen: they may stop production for three weeks, and of course there are going to be certain losses; however, over that period of time, you look at it and say, "Oh, my heavens, look at the money, all that money, all that income tax will be lost." Look at it a little bit differently. It is not all going to be lost. Somehow or other there seems to be a way around everything. There may be a few people on unemployment insurance. We must remember that it, of course, comes from the Federal Government in that case, and is money that has been put in by the worker and is coming back to them, rightly so.

There will be a tax of 10 percent on that when you get it. On top of that tax, that will be added on top of your figure for the total of your income tax at the end of the year, so there will be approximately 23 or 24 percent coming off and maybe, in some cases, more.

70 The Government of Yukon will get 43 percent of that money. We are not going to lose the whole payroll right to the bottom in the way that many of the Members think. Of course, he is not here now; he has probably gone out to find something else that is wrong.

He says that the Government does not use the power that they have, such as curbing spending for wages or something like that. However, if the Government sits down and thinks for a moment, maybe there is a way that we might save some money — maybe we should take a look at the janitor situation, and it is not necessary that anything has to be done, but he is all upset because there is going to be a great wage lost. I do not know as there would be a great loss if that had been done. All you have to look at is that there is still the janitor work to be done, by somebody. Maybe it is not necessary that it is a union; maybe it is not necessary that the pay is quite that high. The contractor is also spending money in the Territory, which might even add to the economic situation. He gets all steamed up because it is a year of a possible election. I do not think that the whole country is going down the drain. I do not think that the doom and gloom is needed at all yet.

I drive up and down the Alaska Highway and I am very surprised at the people who are travelling on the highway today. Maybe they are all moving to Alaska because they cannot stay in the lower states, but they are sure coming up the road. Business is good.

As the Honourable Minister, Mr. Lang, said, there is lots of road work going on this year. There is employment that would not have been there unless the highway was being worked on. Whether it is Federal, whether it is Yukon, whatever, there are a good many people working today. Maybe they will offset some of the workers who leave a mine, or somewhere else. We cannot always have everything we want. The Honourable Liberal Leader, who said, and this is one thing I absolutely agree with: we should not be standing up here talking about these things — we are wasting time.

He talks about our Medicare system, and all he says is we have too much money in our Medicare system, that we are taking too much money. I might ask the Member what he would say if this Government was saying we are short of money.

71 It just depends on what foot the shoe is on as to which way the Member will go. And he is all upset about the taxes. He is going to keep the taxes down, but he is blaming someone else, because of an election coming, and he feels he is going to be in power, and he is going to have to start collecting taxes from the people. Well I might say to the Honourable Member: he is lucky that the Conservatives have been in for the last four years, just in case that did happen, although it is very far-fetched. But if it did happen, he would be sitting in a fairly nice position for the first while he was in power.

And the other Honourable Member, of course, whom I might have called a friend at one time — and who still is my friend, though misguided — carries on across the House, as he did when I was there

with him, although I was inclined to believe him a little more than I do now.

Then there is the Liberal Leader, again, all upset about the school in Old Crow, spending so much money it should have been left for years, never mind whether or not the kids get to school. I wonder what he would have said if the Government would have actually done that. I am sure that it would have been a different tune coming from him then. How come those kids have not got a school there now? I am afraid the shoe would be on the other foot again there, too.

The Member for Faro wants low cost loans. In fact he almost came to the point of saying we know we have not got the money and we know the Federal Government will not give us the money, but if that is the case they will do it themselves. I would say that that would never get an argument from this side of the House.

In closing, he said that this Government needs some distinct direction. Thank the Lord that the Conservative Party is still in power today, and hopefully will continue to be so.

71 Mr. Falle: I would like to speak against this amendment. I have listened quite intently today to what the Honourable Members on the other side of the House have stated. In my opinion, responsible Government is not being in the hole, not being in the red. I think that this Government has shown responsibility by spending only what it can afford to spend. I can talk about my own riding, and the help I have been able to give my constituents, by being part of this Government.

We said that we would have rural residential lands. We got them. It is not a promise. It is not a myth. We got them. We said that we are going to have an Agricultural Policy. We are in the process of doing it. It will be before you any day. We said that we were going to have country recreational lots. We are doing it, although the Federal Government has not transferred the lands, but the mechanism is there. Our intent is there. That is not our fault.

This Government, I think, has done a good job for the constituents that I represent, and I am sure that we hear and we listen to what the people on the other side of the House say, and this Government tries its best to respond to them.

For a Government that is not supposed to have done anything and has no vision, I will just point out some of the things that have happened to me in my riding. One of them is Deep Creek. This Government has built a new road in Deep Creek. It has bus service in Deep Creek, and year round maintenance. That is just one part of my riding. I will go through it. On Jackfish Bay we have maintenance year round and we have school bus service — since this Government of total inaction has not done anything. The Hotsprings Road has new coal mix right through it. There are better phone services, rural residential lots and agricultural land. It has not done anything — no.

The Alaska Highway North again, has phone, agriculture and residential lots. It has not done anything. I do not know. We intend to get a new subdivision going in Golden Horn. We do not have that yet but that, I believe, will be on its way. On the Annie Lake Road, we have been able to improve the maintenance and give them year round maintenance.

72 At Tagish, we have been able to help with a new bridge, maintenance, and we have been able to improve recreational facilities in the area. In Carcross, we are getting a new tourist information centre. It is going to create a lot of work this summer at approximately \$250,000, but this Government has not done anything.

I am sure you people on the other side of the House, if you would look in your own ridings and see what this Government has done for your own constituents, I do not think that you would be so ready to hop up and condemn it, because we do listen. We have to listen to the people, and listen to the people who elected us. Maybe that is why we are here.

There is no way that this Government has been irresponsible to the people and the needs of the people of the Yukon, so I am definitely against this amendment.

Mr. Kimmerly: I rise especially to answer some of the election speeches made by Members opposite. I wish to talk a little bit about the tendering process, and contract process in Old Crow, around the Old Crow School — a very little bit because that is in the past. I would direct the attention of Members opposite to what is in the future, and I would refer specifically to the school at Pelly Crossing. It was

announced that the school at Pelly Crossing is going to go to tender, I believe, on the 8th of April or, in any event, very soon. If this Government was listening to the community, they would know that in Pelly Crossing, people are saying that the tendering process for a project that size is going to preclude most of the possibility of local labour. The unemployment rate in Pelly Crossing is 88 percent, and I get that figure by going through the names of all the people who live there. It is not a Government figure. It is a list of everyone who lives there, and for a community the size of Pelly Crossing, it is easy to add those people up and take the employable people between the ages 16 and 60 who are available and physically able to work. The unemployment rate in Pelly Crossing is 88 percent.

The school for Pelly Crossing is going to be tendered and, obviously, a Pelly Crossing company will not be able to do that work.

73 That kind of planning, or lack of planning, and those kinds of decisions are the kinds of things that we, on this side, condemn.

As well as the revenue side of the Budget, the expenditure side of the Budget is simply unbusinesslike. I say this: it is prepared in an unbusinesslike way. I say that for this reason: there are many nondiscretionary programs, for example, social assistance and legal aid, where, under the legislation, the service must be provided. The projected expenditures for those sorts of programs are simply unrealistic. As another example on the social assistance side, with rents increasing, the cost of power increasing, the cost of food increasing and the unemployment rate increasing in the Territory, the Government is projecting an overall six percent increase, lower than the inflation rate even, and is projecting an average monthly figure of an amount lower than last year's. It is ludicrous.

With regard to the Supplementary Estimates that were referred to by a certain Member for Porter Creek, the Supplementary Estimates do not identify all of the differences between the 1981-82 estimates and the 1981-82 forecasts. I am not proposing that the 1981-82 estimates and the forecast be right on, but the differences are so substantial that I say that the expenditure estimates and projections are unbusinesslike.

74 **Mr. Graham:** I had not intended to speak to the Amendment as proposed by the Leader of the Opposition; however, a statement he made early in his Second Reading speech has stuck with me throughout this debate this evening. His comment was, "any fool will tell you", and then he went on to tell us about the Budget himself. As I listened to Members opposite, I was forced more and more to the opinion that I do agree with them. Many fools from the other side have attempted to tell us this evening about budgeting. Unfortunately, what they have attempted to tell us is, in most cases, inaccurate. In some cases, they just have not bothered to read the figures that have been written down, and in other cases, I think, they just do not understand the budgeting process at all. For an example, there seems to be some consternation from Members opposite about the amount of income tax that we will accrue in the forthcoming year; however, something none of the Members opposite have seen fit to state during their debates today is that the total workforce in the Territory in the past twelve months, from December 1980 to December 1981, increased by some 2,550 persons. That is almost 25 percent of the total workforce. Now that 25 percent of the total workforce will, no doubt, pay taxes while they are gainfully employed in this Territory. They will, no doubt, contribute something to the income tax collected by the Government of Yukon. I believe, even with the unfortunate lay-offs that have taken place in the last little while, that will be more than offset by the increase in the total employment that we have had in the Territory.

I was also interested in hearing the Member for Faro telling us about his recent visit to Saskatchewan — I hope it was at the expense of taxpayers in Saskatchewan, not taxpayers in Yukon. He says the NDP philosophy in that province works so well; however, what he did not tell you, Mr. Speaker, is that they have a sales tax, a five percent sales tax, in that province. They have had a recent increase in income tax of, I believe, somewhere in the neighbourhood of eight percent.

75 However, Mr. Speaker, what they also do not tell you is that the income tax paid in Saskatchewan is somewhat higher than it is in Yukon. They also tell you that the Saskatchewan system of medicare is a fine system, and that we should adopt that system of medicare, but

what they do not tell is that Mr. Blakeney has recently stated that their support programs for social policies such as medicare have been very, very good and they will continue to tax the resource industries in order to pay for those social programs, such as medicare. Now the Socialist Members opposite believe that we should do away with medicare premiums. I hope that they are not also espousing the policy that we use our resource income to pay for medicare. I am afraid we will have a severe shortage in medicare payments at the end of the year.

I hate to leave out the Leader of the Liberal Party so I shall not. He talked at some length about the value and the use of the Cabinet Ministers here in the front bench. He talked about value for money, and whether there was any talent in the front bench. He went on at great length. He also said that he would be only too willing to take no increase in his salary, as an MLA, on the first of April, but what he did not say is that he is probably not earning the salary he is making already as an MLA. He probably spends a great deal more time in his legal profession. I know for a fact that he does not spend any time in the Legislative offices between Sessions. He has an income as a lawyer. I believe the vast majority of Members opposite have incomes in addition to what they earn as an MLA, so of course they are willing to forego increases as an MLA. I think that has got to be the most hollow argument I have heard come from the Opposition today.

The only honest one I have heard from the Opposition was from the Leader of the Official Opposition, Mr. Penikett, who has stated that his Party's decision was to forego all, or part of, the increase that will be coming to us on the first of April. That is the only policy that I see working. The other Members opposite seem to have this hollow idea that if they do this great sacrifice, giving up the 17 percent increase on a salary that forms a very minor portion of their total family income, they do not have any trouble at all. I would ask Members opposite to do away with all of the income that they have besides that of an MLA, and let us see how they work. I also mean the subsidized housing of the Member for Faro; I mean the legal income of the Member for Whitehorse South Centre and the Member for Whitehorse Riverdale South, the Bobbey Twins. Let us see how they would work then. Let us see if they would give up those increases then. I know this is my only source of income. I was willing to accept a much lower increase than the increase that we probably will get on the first of April, but after listening to the hollow arguments from the Opposition, it really leads one to wonder where their thinking process takes place, if any does take place at all.

76 I also heard about the tendering process in Pelly Crossing, as well as the process, I suppose, of going about getting the terms of reference to build a school in Pelly Crossing. That process, the school construction in Pelly Crossing, has been going on for three years. I started that process when I was Minister of Education, quite some time ago, consisting of consultation with the residents of that community to decide for themselves what kind of a school they wanted. We spent a great deal of money sending an architect to their community. We provided any kind of expertise that they wished to have. We thought, at several times, that we had a plan that we would like to go with. The people in Pelly Crossing changed their minds. We gave them the time, we gave them the ability to change their minds. We went out of our way to help them as much as possible. We also let a couple of contracts locally, in Pelly Crossing, for refurbishing the school playground there. Members opposite probably do not know those things. They just complain about the things they perceive, not the things they know, not the facts. We have attempted in all cases to do what the people there wished us to do, so this argument again that, for some reason, the tendering process is going to eliminate all of the local hiring in Pelly Crossing, is just ludicrous.

The Member for Whitehorse South Centre talks about the unbusinesslike manner that the Budget has been drawn up in, and talks about overestimating income. I would like to know who did his estimates for the income that the Territorial Government will make in the forthcoming year. I would also question the statements that we have underestimated expenditures. We also heard last year many of the same arguments that we are hearing this year, and which have been proven wrong.

I suppose that my problem is that the lack of budgeting expertise

the lack of reading and attempting to understand what is written down and what is presented to them has to be the biggest problem the Opposition faces. They simply either do not want to understand, they do not understand, they lack the expertise, or else they just want to ignore the facts and go ahead blindly in their own manner and say whatever they want. I guess it comes down to what the Member for Porter Creek East said, it is very, very simple to be in the Opposition, presenting plans, knowing full well you are never going to have to pay for them, that you are never going to have to go to the taxpayers to pay for the plans and the ideas that you bring forward.

It is great to hear from the NDP that a low-cost housing effort in Yukon is going to solve all our employment problems. What they seem to forget is that we have constructed schools in the Territory over the last few years, we are in the process of constructing one at the present time, probably a larger project than would be any public housing project, and where it has an effect on the economy, it does not have the all-encompassing effect that the Members opposite seem to think it does.

⁷⁷ I guess now I must say that I will be opposing vigorously this amendment, mostly because of the lack of expertise displayed by Members opposite in budgeting and in the budgetary process, and also their lack of knowledge about training programs that this Government is currently carrying out. None of them mentioned the Resource Corps Program, through which 32 people went last year. There are six or eight projects that were completed last year, all with local labour, with some expertise from the larger communities thrown in. There are also a great number of projects planned for this year. I believe the swimming pool in Carmacks will be finished, the LID and conservational facility in Mayo, nine campgrounds and Renewable Resource shelters will be constructed, all in communities outside of Whitehorse, all utilizing local labour with some expertise to train them thrown in. Nothing has been said about that program. It must be either that they do not know about the program, or because it is a good program, and they choose to ignore it, probably the latter.

I realize no one can say a whole lot about the Small Business Assistance Program that will be coming forth from the Government, but it is interesting to note, when going through the Yukon Economic Review, which the Leader of the Opposition is quite fond of quoting, when you add up the labour statistics, almost 80 percent of the total labour force in this Territory is employed by private industry — not by Government, but by private industry.

It is my contention that the vast majority of people will continue to work in private industry, if this Conservative Government has anything to do with it. We will not be attempting to alleviate unemployment programs simply by going on hiring binges within the YTG. I think programs such as Small Business Assistance programs, and other programs such as that, are much more advantageous, in that they create jobs in the private sector, which is where we should have them.

In conclusion, I will not be supporting the amendment, and I look forward to continuing the Budget debate, and pointing out some of the areas where I believe the Opposition has been either misled, or misinformed, or has simply misunderstood what is actually happening in this Territory today.

⁷⁸ **Mr. Njootli:** I, too, would like to express my opinion with regards to the amendment moved by the Honourable Leader of the Official Opposition and I would like to say that because this is an election year, I do not blame the Honourable Members for making non-issue debate on the main Motion. It has no teeth, a lot of noise, non-elloquent, and absolutely no performance, compared to the highly justifiable debate put forth by the Government Members, showing facts and figures. I think that the Members of the Opposition produced this amendment to the Motion before they read the Budget. I want to say also that if I were sitting on the Opposition side, now, I would be voting for the Budget put forth by the Progressive Conservative Government. Obviously, I will not be supporting the amendment. In fact, nobody in their right mind should support the amendment. In fact, there was some debate put forth by various Members of the Opposition, who do not even have the power to stimulate the economy — even Broadbent does not have the power to stimulate the economy here in Yukon unless he kisses Trudeau on the cheeks. The only alternative I see, from my point of

view, is for the Opposition Members to support the Government motion on its budgetary policy.

I can foresee a bunch of problems that are going to arise in Committee of the Whole, where I will be sitting as Chairman, I see a lot of amendments coming forth, which may try to change the principle of the Bill in its Committee stage.

I hear a lot of noise about the Old Crow School. I see that there are a lot of problems in your own community you should be concerned about, and, what I am trying to say here to the Members opposite is that this Government is listening to the people of Old Crow like we listen to people from other parts of the Territory.

⁷⁹ We had a meeting up there, they told us what to do, and we did it. We do that all the time. Not only the Old Crow school, but we do that everywhere.

In regards to tourism, we decentralized programs and gave municipal governments control, and gave them money to control them with. So I think this is a fairly good budget year. I do not say that just because it is an election year. I am not worried about an election. Maybe you are, but I do not intend to stand up here and make an election speech. All I am trying to say is that even if I were sitting in the Official Opposition, I would be voting for the budget.

Amendment defeated

Hon. Mr. Graham: On the main Motion, I move adjournment.

Mr. Speaker: It has been moved by the Honourable Member for Whitehorse Porter Creek West, seconded by the Honourable Leader of the Opposition, that debate be now adjourned on Motion No. 1. Are you prepared for the question. Are you agreed.

Agreed

Mr. Speaker: May I have your further pleasure.

Mr. Graham: Mr. Speaker, I move, seconded by the Honourable Member for Campbell, that we do now adjourn.

Mr. Speaker: It has been moved by the Honourable Member for Whitehorse Porter Creek West, seconded by the Honourable Member for Campbell, that we now adjourn.

Motion agreed to

The House adjourned at 8:30 p.m.

The following Sessional Papers were Tabled March 29, 1982:

82-5-2

Report on Regulations; Oct. 8, 1981 through Feb. 23, 1982

82-5-3

Annual Report: Department of Justice, 1980-81

82-5-4

Letter from Solicitor General of Canada regarding policy for R.C.M.P. respecting interception of M.L.A. communications

82-5-5

Report of the Select Committee on Labour Standards on the "Green Paper on the Employment Standards Ordinance"