



# The Yukon Legislative Assembly

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Number 9

5th Session

24th Legislature

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## **HANSARD**

**Wednesday, April 7, 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

## 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

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

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

**Whitehorse, Yukon**  
**Wednesday, April 7, 1982**

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

**Mr. Speaker:** We will proceed now to Daily Routine.

## DAILY ROUTINE

### INTRODUCTION OF VISITORS

**Mr. Byblow:** I would like to draw the attention of the Chamber to a couple of visitors from my community. In the gallery with us today we have a couple members from the Faro Town Council attending an Airport Meeting with the Ministry of Transport officials. I am sure the Honourable Members will join with me in welcoming them today.  
*Applause*

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

### TABLING OF RETURNS AND DOCUMENTS

**Hon. Mr. Lang:** I have for filing with the Legislative Library a report. "Towards the Future for Yukon Wildlife."

**Mr. Speaker:** Are there any Reports of Committees?  
Petitions?  
Reading or Receiving of Petitions?  
Introduction of Bills?

### INTRODUCTION OF BILLS

#### Bill No. 17: First Reading

**Hon. Mr. Pearson:** I move, seconded by the Minister of Justice that Bill 17 entitled *An Act to Amend the Executive Council Act* be now introduced and read a first time.

**Mr. Speaker:** It has been moved by the Honourable Government Leader, seconded by the Minister of Justice that Bill 17 entitled *An Act to Amend the Executive Council Act* be now introduced and read a first time.

<sup>02</sup> **Mr. Speaker:** I believe the Motion should have read that Bill No. 17 entitled *Executive Council Act* be now introduced and read a first time. Are you agreed.

*Motion agreed to*

#### Bill No. 18: First Reading

**Hon. Mr. Pearson:** I move, seconded by the Minister of Renewable Resources, that Bill No. 18 entitled *An Act to Amend the Yukon Council Act* be now introduced and read a first time.

**Mr. Speaker:** It has been moved by the Honourable Government Leader, seconded by the Honourable Minister of Renewable Resources, that Bill No. 18 entitled *An Act to Amend the Yukon Council Act* be now introduced and read a first time.

*Motion agreed to*

#### Bill No. 29: First Reading

**Hon. Mr. Pearson:** I move, seconded by the Minister of Highways and Public Works, that Bill No. 29 entitled *An Act to Amend the Electoral District Boundaries Act* be now introduced and read a first 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. 29 entitled *An Act to Amend the Electoral District Boundaries Act* be now introduced and read a first time.

*Motion agreed to*

**Mr. Speaker:** Are there any Notices of Motion for the Production

of Papers?

Notices of Motion?

Statements by Ministers?

This then brings us to the Question Period.

### QUESTION PERIOD

#### <sup>03</sup> Question re: Northland Park

**Mr. Penikett:** I have a question for the Minister of Municipal and Community Affairs. Yesterday the Minister stated, in a reply to a question of mine, "The Northland Park developers had satisfied the City of Whitehorse requirements for services." Can the Minister now state that all the terms of the agreement for sale pertaining to the specifications of sewer and water installations have, in fact, been met by the developer?

**Hon. Mr. Lattin:** As far as I am aware, they have been.

**Mr. Penikett:** Could the Minister also indicate whether any of the terms of the City of Whitehorse By-law 397, particularly those concerning lot size, setbacks from roads and fire safety, were waived, or was the Northland developer required by this development to adhere to all the terms of this By-law?

**Hon. Mr. Lattin:** I do not have that By-law at my disposal and, I would like that that question under advisement to bring back the correct answer.

**Mr. Penikett:** While the Minister is taking his advice I wonder if he, in his capacity of Minister of Municipal Affairs, would be prepared to establish whether the water line to Northland Park is adequate to provide the pressure and flow required for proper fire protection according to the laws of the Territory and the City?

<sup>04</sup> **Hon. Mr. Lattin:** I will consider that too.

#### Question re: Mortgage lending

**Mr. Veale:** I have a question for the same Minister in his capacity of Municipal and Community Affairs.

I wish to bring to the attention of the Minister that some chartered banks in Whitehorse have a policy of not providing conventional mortgages except in the Whitehorse area, with the result that people in the outlying areas are required on a personnel loan basis, one to three percent interest higher. Is the Minister aware of this policy and does he approve of it?

**Hon. Mr. Lattin:** I am definitely aware of it. I wonder what the Member opposite wants me to do about it, if that is the banks' policy. I do not see how I can influence the bank to change those regulations.

**Mr. Speaker:** The second part of that question was out of order.

**Mr. Veale:** One of the problems with it is that it increases costs for people not living in the Whitehorse area. I would ask the Minister if the Government would determine whether or not some assistance can be provided to banks or to the people wishing to have mortgages to assist them in getting mortgages at the same rate as he and I do in Whitehorse?

**Hon. Mr. Lattin:** No, I certainly am not going to assist the banks. I think the banks are making a fair amount of money now. It is their policy. I certainly am not going to put the taxpayers' money into assisting the banks to make more profit. If the Member across would want to do that, that is his option, but I certainly am not going to be part of that game.

<sup>05</sup> **Mr. Veale:** Will the Minister assist Yukoners who do not live in Whitehorse to meet with the banks to determine whether something can be done to have that rolled back so they can get the same interest rate as the citizens of Whitehorse?

**Hon. Mr. Lattin:** The Member opposite knows that we are always available to assist people, and if I could meet with the banks and assist, I would have no problem with trying. We have always been a Government that serves the people and we will continue to be so.

#### Question re: Apprenticeship training

**Mr. Byblow:** I have a question I will direct to the Minister of Education on the subject of the Federal-Territorial Agreement on Apprenticeship and Industrial Training.

I understand that the training Agreement expired in March of this year and that a new one has not been signed. In previous questioning the Minister said that her department was preparing a position paper on apprenticeship needs in Yukon for use during negotiations. I would like to ask the Minister whether her department is simply seeking a renewal or an extension of the former Agreement?

**Hon. Mrs. McCall:** We will be seeking the very best agreement that we possibly can, but you know how it is dealing with the Feds. They just tell us what we have to do.

**Mr. Byblow:** I would like to pursue that. In light of the unemployment implications in the Yukon presently, could I ask the Minister what are the main initiatives and principles being advanced by this Government in the negotiation of the new Agreement?

**Hon. Mrs. McCall:** Yes, if the Honourable Member would like to come and talk to the department about the philosophy in coming to this agreement, we would be very happy to have him come.

**Mr. Byblow:** We can discuss until the sky turns red. I would like to ask the Minister if she will undertake to table the negotiating position on this Agreement for us in the House?

**Hon. Mrs. McCall:** No.

#### Question re: Tourism Canada Subsidiary Agreement

**Mrs. McGuire:** I want to ask the Minister of Tourism, of the funds provided for Yukon tourism development as per the February 14, 1980, Canada-Yukon Sub-Agreement in the amount of \$6,000,000. What amounts of the aforementioned funds was channeled into the Kluane area in the past two years?

**Hon. Mr. Lang:** When the Tourism Canada Subsidiary Agreement was signed, and we had to make decisions on the areas that we were going to concentrate on in respect to the expenditures under this Agreement — which we were very fortunate to negotiate while the Conservative Government was in power — was make the conscious decision, in view of the major problems faced by Dawson City following the flood and the fact that a number of the various buildings there had been neglected over a period of time, to make that the priority area for the three-year Agreement.

Also, we made the point that we felt that Watson Lake and Carcross, being entry points, had to have a certain amount of work done as well, along with the community of Whitehorse. We have made it very clear that if we are successful in negotiating another Tourism Subsidiary Agreement, one of the priority areas would be the Kluane area. I recognize certain work should be done up there and that would be worked out with the people in that area.

**Mrs. McGuire:** Perhaps the Minister could tell us what long-term plans does the Government plan to develop towards tourism projects and programs in the Kluane area?

**Hon. Mr. Lang:** There are a number of things that are being done. We are having an ongoing discussion with Parks Canada, attempting to have them pressure their political masters in Ottawa to put monies forward for the Kluane National Park so that not only people on unemployment, but people who would have a very limited time, can see at least a portion of that park.

We are working internally developing some ideas. Over the course of this summer it will be our intention to meet with the people of the area. As the Member knows, this Government is more than open to suggestions. I have not heard any direct suggestions, with respect to tourism facilities, from the Honourable Member. She did come forward in respect to asking the Government to come forward with a campground in the Million Dollar Falls area, which we did. There has been some work done by the Government. I would not want her to be left thinking that this Government "neglected that area". I think that we have acted where we have been requested to act.

**Mrs. McGuire:** I believe the Minister's department has received many plans for the Kluane area. In view of the fact that more people travel through the area of Kluane than any other area in the Territory, because of the three-highway junction, but, because of the lack of tourist attractions, visitor stops are short. What specific plans is this Government putting in place in Kluane to capitalize on this summer's tourist trade?

**Hon. Mr. Lang:** I find it a little disillusioning that these questions are coming at this late date. The Member has been a Member of this

House for approximately four years and, as we all know, our Capital Budget is tabled in the fall and voted and discussed at that time. I do not think that there are any major projects going on in the course of this year. We recognize that we have responsibilities for visitor stops. If the Member takes time out perhaps she should drive to Million Dollar Falls and look at the various campgrounds that we have put in place. It is an ongoing thing. There is no question that, perhaps, there are going to have to be more services put up there. I would just as soon, if possible, have the private sector put them up. There is a stumbling block working with Parks Canada. We are going to be working with Renewable Resources as well as the Tourism Department to try to come up with various projects that could be implemented for that particular area.

I agree with the Member opposite that there is a fair amount of traffic going through there and we supported the Shikwak Valley project which gave a great influx of dollars to that particular constituency. Also, we are continuing to pursue, with the State of Alaska, a continuation of that program which aids Yukon, as a whole, as well as the Kluane area.

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#### Question re: White Pass

**Mr. Kimmerly:** I have a question for the Minister of Municipal and Community Affairs. Could the Minister inform us about the progress of talks with White Pass and Yukon Corporation concerning the eventual relocation of their freight operations outside of the Whitehorse downtown area?

**Hon. Mr. Lattin:** At this time there are no talks going on between us and White Pass. There is one other party who would be in the discussion of that and I think it would be more appropriate if he could get the City of Whitehorse's views first. There have been no formal meetings that I am aware of. There definitely have been no formal meetings that I have attended. I know it has been discussed on an *ad hoc* basis with our department to some degree, but this is something that is more of a concern to the City of Whitehorse than it is to my department.

**Mr. Kimmerly:** Has there been any discussions with the City of Whitehorse concerning the Yukon Government financial support for the relocation project? Is the Government considering any such financial support?

**Hon. Mr. Lattin:** Short answers for both are, absolutely not.

**Mr. Kimmerly:** Is the Minister investigating the possibility of Federal Government assistance for such a relocation?

**Hon. Mr. Lattin:** There are no formal discussions and until there are some formal discussions with the parties concerned and there were some recommendations that we approach the Federal Government, I have no reason to approach the Federal Government for any assistance in this particular project.

#### Question re: Workers' Compensation Board

**Mr. Penikett:** I have a question for the Government Leader. Last week the Government Leader said that the Workers' Compensation Board makes the investment decisions for that fund. Could the Government Leader, or perhaps the Minister responsible, advise us exactly who is mandated to advise the Board in making those investment decisions?

**Hon. Mr. Tracey:** Under the terms of the *Financial Agreement Act* and the *Yukon Agreement Act*, the final investment capability rests with the Commissioner and the Executive Council.

**Mr. Penikett:** So, in fact, the Government Leader's answer of last week was in error. Since there is no Workers' Compensation Board investment in the Territory, could the Minister responsible, or the Minister of Finance — or in his capacity as Government Leader — indicate if this is a policy decision not to invest in Yukon at this time? If it was a policy decision, exactly who made it?

**Hon. Mr. Tracey:** The Government Leader was not in error. The Workers' Compensation Board and the actuaries make the decisions on where the investments are to be made. Because of the fact that we have the *Financial Administration Ordinance*, which binds the Commissioner in Executive Council, those investments are made in that manner. The Workers' Compensation Board chooses the investments and we make them for them.

**Mr. Penikett:** Would the Government Leader undertake to determine the reasons why there have been no investments by the Workers' Compensation Board in Yukon, and report back to the House?

**Hon. Mr. Pearson:** I do not think that I am in any position, nor do I think I ever should be, to second guess the recommendations made to us by the Workers' Compensation Board in respect to investments. I will certainly raise this issue with the Board as a result of the questioning of the Leader of the Opposition. Should there be anything substantive to report to the House, I shall do so.

**Question re: Lake Bennett lot titles**

**Mr. Veale:** I have a question for the Minister of Municipal and Community Affairs.

The Minister is well aware of the requests of the people in Carcross that live on the shores of Lake Bennett to have some form of title or lease to their properties. Can the Minister advise us whether that situation has been resolved?

**Hon. Mr. Lattin:** In regards to these particular lots we have been working very diligently with them for some time. We have had some difficulty because of the way they are located. We have done a preliminary survey. We have sent this preliminary survey to Ottawa. We have not heard back from the Survey General on it, but we did encounter one little snag that we had not anticipated. A couple of lots that we thought were private were a post office reserve. We are working to get that resolved. We are very determined to get these lots in a position where we can make some agreement with the people on them so that they can have title.

**Mr. Veale:** Can the Minister confirm that, in fact, those residents will be obtaining title, and not just a lease, to those properties?

**Hon. Mr. Lattin:** I want to assure you that I have had several meetings with these people. I have personally gone down and talked with them individually. Our ultimate goal is to give them title, but if we have to go the lease route first with the idea that we will convert to title, we will do that, if it will clear up this unfortunate situation. We have been in constant consultation with these people and have had very good rapport back and forth. I am sure that we will get this problem resolved in the near future.

**Mr. Veale:** Would the Minister give the Assembly, and those people, a target date of when he expects to have either the leases or the titles for them?

**Hon. Mr. Lattin:** The Member opposite should know that I could give a target date, but I just explained to him that we are waiting on Ottawa for the survey. There is no way that I am going to commit myself on a target date. The people in Carcross know, from the consultation that we have had and the work that we have done this year, that we are addressing these problems. I am sure they have lots of confidence in us that we will resolve it and when we do, I am sure that they will thank the Government for looking after their needs.

**Question re: Credit investigations**

**Mr. Byblow:** I have a question for the Minister of Consumer and Corporate Affairs. I have had a number of concerns expressed, by individuals and groups, over investigations done for credit bureaus and insurance companies that can often lead to damaging individual's reputations and also that they are not done with the individual's knowledge. Is this an area that concerns his department?

**Hon. Mr. Tracey:** It would concern this department if there was something being done that was illegal. I am not sure of the facts so I would have to have more knowledge before I could answer.

**Mr. Byblow:** I have searched the *Consumer Protection Ordinance* and there are no clauses stating that individuals must be notified of such investigations or that their approval for access to confidential information is required, or even that an individual could have access to an investigator's report if an application for credit is denied. Would the Minister undertake to investigate this as an area for possible amendments to the Ordinance?

**Hon. Mr. Tracey:** I would be prepared to investigate it. I do believe there is some protection under the Federal Act. I will take it under advisement and we will look at it.

**Mr. Byblow:** In his investigation, could the Minister also undertake to consider an amendment to prevent investigating firms from

reporting to clients on arrests before guilt has been determined, and that anyone who provides such information be identified in investigator's reports?

**Hon. Mr. Tracey:** Yes, I will take that under advisement as well.

**Question re: Haines Junction sewage lagoon.**

**Mrs. McGuire:** I have a question for the Minister of Municipal and Community Affairs on the ongoing issue of the proposed Haines Junction sewage lagoon. Have funds for the project been secured by YTG from the Federal Treasury Board yet?

**Hon. Mr. Lattin:** The project went over \$1 million dollars. We had made applications to the Federal Treasury Board for approval last year after the design was approved by the Yukon Water Board. We then went to tender, expecting we would have an answer from the Treasury Board. To date, the formal approval has not been received, therefore we are waiting for the approval. We did have the contract out and the tenderer is aware of our position. When we receive the approval, he will or will not honour that contract. If he does not agree, we will have to retender it. The holdup, I want to make emphatically clear, is the Federal Treasury Board.

**Mrs. McGuire:** Who directs the Minister's contract division to advertise and tender contracts such as for clearing that site, which was done prematurely, before the funds were available?

**Hon. Mr. Pearson:** There was nothing done prematurely. We have approval from the Government of Canada to proceed with the project. Because of our peculiar situation, in that we are still a colony of Canada, whether we like it or not, and because the Government of Canada provides to us, via grants, all of the capital expenditures that are made in the Territory, they have a requirement for approval by Treasury Board of any projects that exceed \$1 million dollars. This particular limit was set sometime back in the mid-60's. If we could have them look at that limit today they might well say, "\$25 million dollars would be a more reasonable number now".

11 They set the million dollar limit and said that if you have a project that goes to tender and it is over a million dollars, then you must come back to us for a second approval. That rule has always been in place and we have always lived up to it. We cannot get the money from Treasury Board, even though we have had prior approval, until we have that second approval after the contracts are let.

**Mrs. McGuire:** What safeguards then does this Government have against contractors who have had a Territorial contract withdrawn from them because of possible errors on the part of the Government, and who may sue for time loss because of the withdrawal?

**Hon. Mr. Pearson:** It is exactly the opposite. If the Honourable Member is really interested in this subject, she should get a Territorial contract and take a look at it sometime. The contract provides that if we cannot enter into an agreement, if we cannot sign the contract in a given number of days with the contractor, he is free to not take the contract. At the present time, we have exceeded that given number of days and it is going to be entirely up to the contractor. We are at his mercy as a result of the Federal Treasury Board. It will be entirely up to the contractor whether he will want to sign that contract, when and if we ever receive approval from Treasury Board. If he says no, then we will have to retender. There are no safeguards. We cannot build in any safeguards. We would have to have the safeguards from Treasury Board and they will not give them to us.

**Question re: Yukon Liquor Corporation**

**Mr. Kimmerly:** I have a question for the Government Leader. The Yukon Liquor Corporation has recently made recommendations to the Government Leader and the Government Leader issued a press release to say he would study them carefully. Now, the Government Leader, the Minister responsible for the Liquor Board and the Minister responsible for Alcohol and Drug Services are involved. To which Minister should I address questions about the recommendations?

**Hon. Mr. Pearson:** The Honourable Member is wrong. I did not issue a press release. I did receive some recommendations from the Acting Chairman of the Liquor Board. I thought they were recommendations that were made in all sincerity, and recommendations that, to my way of thinking, were valid and something that we should look at seriously. As I said to her then and as she reported in her press

release, I undertook to forward those recommendations to the responsible people in this administration, and that as soon as we had something substantial back from them, we would be letting them know. Since that time, I have been in contact with the Acting Chairman of the Liquor Board to advise her of that fact.

**Mr. Kimmerly:** I would thank the Government Leader for a complete answer, but one further question remains. Is the Government planning to introduce legislation this Session to deal with the question of local control of liquor licensing?

**Hon. Mr. Pearson:** I do not think that we have made any secret of the fact that we intend to table, at this Session, proposed amendments to the *Liquor Act*. Until that legislation is introduced I cannot answer the Honourable Member's question.

**Mr. Kimmerly:** A supplementary question to the Minister responsible for Alcohol and Drug Services, in view of the recommendations of the Liquor Board and in view of the recommendations of the Indian Health Conference, is there serious discussion with CYI officials with regard to local control of liquor licensing now?

**Hon. Mrs. McCall:** I was, as late as yesterday, in touch with the Chairman of the Liquor Board and discussed plans that we have to follow-up on those recommendations. I still do not have the recommendations from the Conference, officially. I have some draft recommendations and I am not sure whether those are final or not. My word from CYI was that the recommendations were to go before the Chiefs before they were sent to me. I still do not have them.

#### Question re: Association of Yukon Communities

**Mr. Penikett:** I have another question for the Minister of Municipal Affairs. The Association of Yukon Communities has passed a resolution calling for a one-year delay in adjusting municipal sewer and water rates to the level of the City of Whitehorse because, under the uniform budgeting process for Yukon municipalities, they feel that there is not enough time to change the rate concurrently.

Has the Minister considered this recommendation and is he able to indicate if the Government will agree to the delay required?

**Hon. Mr. Lattin:** I am aware of the resolution. We are discussing it now and we have not made any decision or commitment.

**Mr. Penikett:** The Association of Yukon Communities has also resolved to assist the Yukon Government with a review of the building code for the purpose of developing Yukon building standards. What are the Minister's specific plans for working with the Association in developing such a Yukon building code?

**Hon. Mr. Lattin:** We are going to set up a working group within the two associations. I think that we have had preliminary discussions on that. We have not formalized it as yet, but in the very near future, they will be getting a group together and attacking the problem and coming up with some recommendations which we and AYC can consider. Up until now we have not done anything formally on it.

**Mr. Penikett:** The very near future is going to be a busy time, indeed. I would like to ask the Minister about a number of other resolutions adopted by AYC which are directed to his attention. I can assume that the Minister has had a chance to study them. Has he had the opportunity to communicate his response to those other resolutions following the last convention?

**Hon. Mr. Lattin:** We are keeping quite regular contact with AYC. We have not officially responded to each item *per se*, but we have definitely discussed them at various times when I met with them. Rather than making an individual response to each one, I feel that we will discuss each one at various times, and when we have completed our discussions on them I will make my formal reply in one block.

#### Question re: Rabbit's Foot Canyon

**Mr. Veale:** I have a question for the Minister regarding highways. He will recall, in November, I asked him about the area of roadway in the Rabbit's Foot Canyon and the problem of accidents in that area and a particular section of that road. Has the Minister become aware, or had a report from this department, about a four-car collision which took place in the same area on last Friday?

**Hon. Mr. Lattin:** I am not aware of the four-car collision report. I can assure you that I drive over that road probably as much as anybody in the Yukon. When he approached the subject last fall, this very

responsible Government took corrective action immediately. All during the winter, that road was in very good condition in that particular locality. With the spring breakup we have had some upheaval on the road. We have already done some work there, but it is very difficult to do any work at this particular time. The work that we did the other day has proven to be rough again. We are looking at it very carefully. I am sure this Department of Highways and Public Works will, whenever possible, make the other necessary corrections and carry out the work necessary.

**Mr. Veale:** Will the Minister investigate that accident to determine whether the particular section of roadway that has a lot of bumps in it was the cause of a person, who comes from out of town, to lose control and get into a four-car collision?

**Hon. Mr. Lattin:** I think the investigation would be more appropriately done by the RCMP at that particular time. I might also inform the Member for his edification that that particular part of the road is flagged and marked on both approaches.

**Mr. Veale:** The problem is that the roadway does not have a speed sign to indicate speed over that section. Will the Minister put in an appropriate speed sign so that those people who come in and out of town will not be caught unaware by simple bump signs?

**Hon. Mr. Lattin:** I suppose it is something we can consider. When there is a warning sign and flags in place I think the driving public have some responsibility themselves to reduce their speed. I will certainly look into that aspect and if we feel that it would help, I can see no problems with restricting the speed limit on that particular section.

#### Question re: School facilities

**Mr. Byblow:** I have a question I will direct to the Minister of Education. I have received some evidence of conflicts in the public use of school facilities. I was wondering if the Minister can clarify her department's policy on the community use of school facilities around the Territory, and specifically I would like her to address the question of whether school staff and students have around-the-clock priority on the use of those facilities or is there a priority for community activities after regular school hours?

**Hon. Mrs. McCall:** I would like to hear of any particular conflicts. My view on schools is that they are a community resource. I believe they should be used as much as possible by the whole community. They are lighted and heated and I think they should be available. On the other question of whether staff and students have priorities, in some cases. We do not want to have actual school work interfered with, but otherwise I have, I think, impressed upon the principals that the buildings are to be considered as community buildings and should be available wherever it is reasonable.

**Mr. Byblow:** I will seek a written policy on that matter.

I would like to address a specific concern with respect to the City of Whitehorse. Considering the condition of recreational facilities in the City, can the Minister assure the House that in the upcoming renegotiation of the joint use agreement that there will be some priority given to the maximization of use of the Whitehorse School facilities for community recreation purposes?

**Hon. Mrs. McCall:** Yes, I think that that is a principle that we absolutely will adhere to, no question about it.

**Mr. Byblow:** Could I then ask the Minister to inform the House of who it is who makes the decision when there is a competition for the use of a school room or a facility after school hours?

**Hon. Mrs. McCall:** I believe that that has been left to the City, the way that it has been set up. I am not entirely sure that that should not be changed. I appreciate the Member's questions and I will look at them further.

#### MOTIONS FOR THE PRODUCTION OF PAPERS

**Mr. Ckerk:** Item No. 1, standing in the name of Mr. Kimmerly.

**Mr. Speaker:** Is the Member prepared to deal with Item No. 1?

**Mr. Speaker:** It has been moved by the Honourable Member for Whitehorse South Centre, seconded by the Honourable Leader of the Official Opposition THAT all agreements in principle which have been reached during land claims negotiations between the Govern-

ment of Yukon, the Council for Yukon Indians and the Government of Canada be tabled in this Assembly.

**Mr. Kimmerly:** I have placed this Motion and I rise to speak to it today because I believe it is of the utmost importance to the people of Yukon and it is a very timely Motion.

On November the 18th, 1981, in this Assembly there was a debate, which could be referred to as an aboriginal rights debate. It was at that time on the subject of an address to the Parliament of Canada pursuant to the old Section 34 of the Constitutional Accord and in preparation for Canada's new Constitution.

The debate today is slightly different and it is slightly different for a two very, very important reasons. Before I go into them I would like to refer to what was said by Government Members on the 18th of November.

<sup>16</sup> The Government Leader, speaking to the Motion at the time, said "... so our number one priority from the day we were elected is a settlement of land claims. That is what we are here to do ... it is also one that I know concerns the Department of Justice because at the time, that Section 34 was put into the Constitution, that little problem was not perceived. I would respectfully suggest that it is just another one of those instances whereby something was done without our consultation that may well have caused severe hardship on everyone in this Territory. It could have been avoided if only they would have asked us before they put it into place." I wish to draw attention to that particular quote and again the operative part of it, "If only they would have asked us before they put it into place."

The Indian Land Claims negotiations are dealing with the matters of prime importance. Everyone knows that. They are dealing with matters that relate to constitutional development in the Territory, matters relating to local Government and individual's rights and freedoms and the basic question of racial equality and the form of government that we are going to see in Yukon today.

I say that the people in the constituency of Whitehorse South Centre and Yukoners who have spoken to me about the subject say, "If only they would ask us before they put it into place."

The Minister of Economic Development got into the debate and said, on Page 323, "Let us lay the cards on the table. We are talking race, et cetera. It is obviously a very, very emotional debate and a matter of prime importance." He goes on to say, "I found it rather distasteful when I saw my rights, as a Canadian, being dealt at a poker game in which I was not invited." The Land Claims talks, in a sense, are a poker game and Yukoners are not invited. He goes on to say, on the same Page, "I found it very, very disgusting when I felt, as a Canadian, first of all that I was from Yukon and I did not have an opportunity to have my voice heard and, secondly, we were totally disregarded." This Government has talked about the colonial attitude of Ottawa. In large part, I agree with them. However, this Government, and the process that we are going through on the Yukon Land Claims, is a colonial process and the people of Yukon are being treated as colonial subjects and are not consulted.

<sup>17</sup> This Government, the YTG, is represented at the table. We are a negotiating party according to an agreement. Where do the positions that those negotiators put forward come from? It is not from this Assembly. It is not from a committee of this Assembly. It is not from the Cabinet of this Government. Looking at the public documents in the last published Annual Report, Land Claims is mentioned only on Page 26 and it simply makes reference to the fact that there is a Yukon Government Land Claims Secretariat and says absolutely nothing about the development of policies, or what policies, are being followed by this Government.

The only other public document is in the Estimates recently tabled and yet to be debated. The program objective of a part of the Department of Intergovernmental Relations is this, "To provide research and develop the Yukon Government position concerning settlement of the Yukon Indian Land Claims and the constitutional development of Yukon." The two subjects, which are probably of the most fundamental importance facing legislators in Yukon, those positions, research and development of the Government is being done by a Government department with two person-years and it reports to the Government Leader.

In the Throne Speech, the subject is introduced and, from Page 2 of

the Speech, the following appears under constitutional development, "It will do so by elaborating on the progress which has been made in the negotiations of the Indian Land Claims." We are told that the Government is going to elaborate on the progress which is made at the Indian Land Claims.

<sup>18</sup> I say that it is unacceptable to make a general statement that Land Claims is progressing well, Land Claims is nearing completion, we are making great progress. The people of Yukon deserve more and deserve better. All political parties have publicly said and have said, probably too often, that they are in favour of a fair and just Land Claims settlement. It is time that we stopped mouthing those motherhood statements and started to define what we mean by a fair and just settlement. The people of Yukon are asking for it and they deserve it.

I will refer to some practical problems that have been caused by the Government's policy of secrecy. Firstly, this Government has passed *The Municipal Ordinance*, also the subject of local Government is a subject at the Land Claims negotiating table. The proclamation or the enforcement of the Ordinance was put off because of confusion. However, we do not know what is being said at the Land Claims talks, we do not know the Government position at the table. This is not a secret, it is not something that can now be said must be kept secret for the purpose of negotiation. The negotiators know the general position. I am not asking that the Land Claims process not be a secret process or be open to the public, I am not asking that. I am asking that the agreements that have been reached, that have already been negotiated, be made public so the public can know where they stand.

*The Municipal Ordinance* was put off for a year. I make the prediction that we have not heard the end of that. The problems are continuing and they are continuing because people do not know where they stand on the issue. How could they know? They do not have the information with which to assess their position.

Another example is the *Wildlife Ordinance* and the agreement that has already been reached with regard to wildlife management and animal harvest. We know, because it has been in the press and announced by the negotiator for CYI, that there is an agreement and that it contains an embodiment and a statement of principle that the rights of Native people are going to be continued into perpetuity and that there is going to be a preferential right of harvest to people who are beneficiaries under the settlement. That has been made public.

<sup>19</sup> That is a very emotional and important issue in the Yukon. We know that this Government has signed that agreement, but we do not know precisely what it says. The people of Yukon deserve much better.

A practical problem is the enforcement of Yukon laws in various game sanctuaries and the definition of the aboriginal right as it is different under the agreement in principle already reached in regard to beneficiaries and the *Yukon Act*.

One Minister of this Government resigned over, what was called, a secret deal. I have no particular knowledge of that, but I speculate this way, and I challenge Government Ministers to make the real facts public, that we know there is an agreement with regard to this reached at Land Claims talks. The Minister responsible for wildlife is, of course, caught in a bind. Should he follow that agreement that has already been signed by the Government, or should he do something else?

The Select Committee on the *Wildlife Ordinance* in the last Session addressed this question very briefly. The question was put to CYI, who appeared before the Committee, and they said clearly and publicly that they had no objection to the agreement being tabled for the Committee and made public.

Yukoners are facing a Land Claims process whereby their very fundamental rights are being discussed, and discussed by this Government, and the questions being discussed are fundamentally political questions. At one point, no matter what happens, no matter what process is followed, all of these things are going to be debated publicly.

<sup>20</sup> In order for Land Claims to work, it must be fair to all Yukoners, Native and non-Native. It must be accepted by a majority of both Native and non-Native groups. It is necessary that the public debate of the general principles be carried on before it is too late, before the legislation is already passed. It is a political issue of prime importance. The most important principles of fact, the general positions of the

Government, the agreement reached to date, are not known by Yukoners, both Native and non-Native.

The people in my constituency have expressed great frustration with not knowing what faces them in the future. I am not asking that the negotiating process itself be a public process, but I am asking that public discussion around the fundamental issues be made a possibility because of information about the fundamental issues.

The Government Leader also said on November 18 and I quote, "Aboriginal rights as they are defined today, and they are not clear or concise and they are nothing like what we talked about a year ago, no matter if it is by the courts or convention or what, are defined in common law." The important thing I wish to emphasize is "and they are nothing like what we talked about a year ago."

The Government Leader knows that, but Yukoners do not because they have no information upon which to base their opinions or feelings about what aboriginal rights now are, about how they are now defined at the table, about what are people talking?

The Government Leader also said and I quote, "Our mandate on this side of the House, given to us by the people of this Territory, was to negotiate a Land Claims settlement." The mandate in this kind of a constitutional issue is not exclusively to a person, the negotiator or the Government Leader. The air of secrecy around the Land Claims negotiation must be stopped, otherwise people will become increasingly suspicious of what is going on and that is fundamentally destructive to the process of achieving racial harmony in the Territory.

**Hon. Mr. Pearson:** I rise, after listening to what I consider to be a very disappointing dissertation by the Member for Whitehorse South Centre. When I first saw this Motion for Production of Papers on the Order Paper, I thought that it was placed there by a Member of this Legislature who was very concerned about the secrecy surrounding Land Claims negotiations as a well meaning Motion and one that he thought should be discussed and possibly acted upon, if it was possible to do so.

After listening to the Honourable Member's talk, I believe that that was not the reason that he put the Motion on the Order Paper. I believe he put it there just so he could make that speech. It is not this Government that has a policy of secrecy. It is not this Government that is negotiating the Land Claims settlement. There are two actors in the Land Claims settlement: the Government of Canada and the Council for Yukon Indians. The Government of Canada represents all of the people of Canada and the Council for Yukon Indians is representing all of those possible beneficiaries to some sort of a claim in this Territory.

I am going to have to refresh the Member's mind. For seven years the Government of Canada and the Council for Yukon Indians attempted to negotiate a Land Claims settlement. I know there was real efforts made on both sides to come to some sort of an agreement, to any kind of an agreement. We were elected seven years later and there was still no agreement. They had not come to any sort of agreement at all. We suggested to the Government of Canada and to the Council for Yukon Indians that possibly a third person, or a third actor, in this little play might be beneficial. It was agreed by the Government of Canada that the Government of Yukon would form part of the Government of Canada's negotiating team.

At that time there was some considerable objection by the Council for Yukon Indians and I honestly believe that it was quite understandable and quite well-meaning. They really were interested in getting a Land Claims settlement with the Government of Canada, not with the Government of Yukon. It is not with the Government of Yukon that they are going to get a settlement. It is, in fact, with the Government of Canada that they are going to get a settlement. I am sure that they felt that we would not be of beneficial use, either to them or the Government of Canada, in the Land Claims negotiations.

In hindsight now, CYI is quite thankful that we have been involved for the last three years. In the last three years we have made considerable progress in Land Claims. There are a number of agreements that are signed. We got to that Land Claims negotiating table by means of a memorandum of understanding that was signed between the then Minister of Indian Affairs and Northern Development, Mr. Hugh Faulkner, and the then Commissioner of the Yukon Territory, Mrs. Ione Christianson.

One of the sections in that memorandum of understanding, between the Government of Yukon and the Government of Canada, is that we, being the Government of Yukon, had a responsibility to keep the people of this Territory as informed as we possibly could of the Land Claims negotiations and what was transpiring.

The two main actors in the Land Claims negotiations said, at that time, and still say now, that that is fine, except that there must be agreement between the Government of Canada and the Council for Yukon Indians before anything becomes public as a result of Land Claims negotiations, and that they, being the Council for Yukon Indians and the Government of Canada, are going to make those announcements.

Once again, I want to refresh the Honourable Members' memory, in that there are some of the agreements in principle that have been made public. They have been done by way of a joint release by the Government of Canada, the Council for Yukon Indians and the Government of Yukon.

Our place at that table depends upon us maintaining the confidence and the confidentiality of the other members at negotiations. If we break that confidence, or confidentiality, I am sure that we are going to be asked to leave the table. I do not think that I would blame either the Council for Yukon Indians or the Government of Canada for asking us to leave.

Of course, everyone knows that negotiations carried on in public are not negotiations. It will not work. The process really is working and I do not think that we, as a Government, nor anyone in this Legislature, wants to do anything to upset that process.

I must say that I was so taken by the Honourable Member's Motion for Production of Papers, that I immediately asked our negotiator, who acts on direction from the Cabinet — it is not one-man negotiations as he implied, and I was surprised that he said so as I happen to know that he has been at that negotiating table and knows very well that there is no such thing as one-man negotiations at that table, therefore the implication was a wrong one on his part — to contact the chief negotiator for CYI, because there is an agreement at the table that these agreements in principle, as they are signed, will be released to the public as quickly as the three negotiators can perceive that it can be done without jeopardizing future Land Claims negotiations.

I contacted our chief negotiator and asked him if he would ascertain whether the three negotiators were ready to release any more of the agreements in principle.

I was informed that they were not. In view of that, I would like, as constructively as I can, to propose an amendment to the Honourable Members' Motion for Production of Papers No. 1, hoping that, because we are an open Government and we do want to get these agreements to the public as quickly as we can, something constructive might happen.

I move, seconded by the Honourable Minister of Tourism and Economic Development that Motion for Production of Papers No. 1 be amended by deleting all of the words after the word "that", in the first line, and by substituting the following, "The Government of Yukon again seek the concurrence of the Council for Yukon Indians and the Government of Canada in order that all Agreements-in-Principle which have been reached during the Land Claims negotiations between the Government of Yukon, the Council for Yukon Indians and the Government of Canada may be tabled in this Assembly."

**Mr. Speaker:** It has been moved by the Honourable Government Leader, seconded by the Honourable Minister of Economic Development that Motion for Production of Papers No. 1 be amended by deleting all of the words after the word "that" and by substituting the following, "The Government of Yukon again seeks the concurrence of the Council for Yukon Indians and of the Government of Canada in order that all Agreements-in-Principle which have been reached during the Land Claims negotiations between the Government of Yukon, the Council for Yukon Indians and the Government of Canada may be tabled in this Assembly."

**Hon. Mr. Lang:** Unlike the Leader of the Official Opposition, I think this is an important resolution and the amendment is fairly important and I think it should be discussed. I recognize that he would like to call question on this subject but I do not think it is appropriate.

I think it is very important to point out and elaborate on the Govern-



ment Leader's comments in the initiation of the debate, the amendment reads, "The Government of Yukon again...". I think that should be underlined.

It is this Government, on the mandate that we asked for from the people of the Yukon, approximately three and a half years ago, that we, the people of Yukon who are represented by people in this Legislature — forget the names, forget the personalities — must be involved in the Land Claims negotiations in order to ensure that they were going to come to a conclusion that we could all live with and would be to the benefit of the Native people of Yukon and the non-Native people of Yukon. That is the basic premise that we have brought forward. For the Member for Whitehorse South Centre, and I recognize that he is fairly new here, perhaps he should get a copy of the platform of the Conservative Party, which is very clear and unequivocal and starts with the cornerstone which is called, "The Yukoners Claim".

On this side of the House we recognize that we are all Yukoners and we are all residents here no matter what the ethnic background of individuals or groups. We also recognize that the Native people of Yukon do have a right to be here, and there is an outstanding claim that has to be negotiated. I think I can speak on behalf of many Native people, as well as many other Yukoners, when I say that we do not believe that anybody who lives here is going to be classed as a visitor, but are going to be classed as residents.

I trust, Mr. Speaker, that it would be classed as parliamentary language when it perhaps be described as "drivel", what has been expressed to some extent on the subject at hand. When I look at the Party that has brought this resolution forward, I have to reiterate, and go back to a debate that we had approximately two years ago — which the side opposite would just as soon forget took place — which had to do with the COPE Claim where, in the Northern Yukon, 15,000 square miles was proposed — and it is still possible — to be, for all intents and purposes, outside the purview of the responsibility of the Government of the Yukon Territory at some time to come.

The Leader of the Official Opposition stood up and said that he objected to the resolution we put forward on the grounds of environmental concerns. I recognize...

**Mr. Speaker:** Order please.

**Mr. Penikett:** I would ask your advice on this Question of Privilege again. I do not mind the Member quoting me. I wish he would quote me accurately, but since he cannot even get the name of my party right he could hardly be regarded as a reliable source on anything I have ever said.

**Mr. Speaker:** Order please. I think I have tried on many occasions to remind all Honourable Members that in raising questions such as just raised by the Honourable Leader of the Opposition, all Members know that there is, in fact, no Question of Privilege. There is, as I stated the other day, a difference between Honourable Members as to an allegation of fact. The Chair would very much appreciate it if Honourable Members who dish things out in debate, so to speak, would be prepared to accept things equally well in debate, as most Parliamentarians are wont to do, and I would ask now that the Honourable Minister of Economic Development please continue.

**Hon. Mr. Lang:** I recognize that I do have a tendency to get to the Member opposite with just a few comments.

Going back in time and looking at that particular debate, he stood up in this House and said he could not vote for the stand this Government took in respect to 15,000 square miles of real estate in the Yukon, because there were technical problems and he really could not. In essence from my perception, and I do not want to quote him, but what I saw across the floor was a man with a problem, because he is a member of the Territorial NDP and also a member of the Federal National Democratic Party. When you take a look at that and you see the position that the Federal NDP takes in the House of Commons in respect to the COPE claims, they are in a situation where they are asking why the COPE Land Claims has not been implemented.

He does have a problem, a very real problem and I can fully understand it. As the Leader of the Official Opposition, as well as the President of the National Party, he does have a problem, because he does not know which side to support. On one hand, here we are in the Yukon and we say we cannot support that because of environmental

reasons which, if anyone looks at the plan that was put forward, was very well thought out and goes into great detail.

And he, as President of the New Democratic Party that is pushing to get the COPE Claim, as it presently is now written, implemented. One only has to look through Hansard and the questions that were raised in the House of Commons in respect to that particular agreement.

The reason that I raised this was to look at the contradiction I see across the floor of this House. It is easy for them, as the Speaker has already indicated, to dish it out to this side, to the Members representing this House, but they cannot take it themselves because there are contradictions.

If one takes a look at the Order Paper, we are in a situation where we are going to be discussing, at later business, the *Freedom of Information Act*. The Member for Whitehorse South Centre, with the bill that he has presented and is going to be discussed at a later point, totally contradicts what he is asking for in the resolution that was put forward.

If you read the document that was tabled and given first reading and, I understand, is proposed for second reading, it very clearly says...

**Mr. Speaker:** Order, please. I cannot permit the Honourable Minister to debate a subject which is anticipated on the Order Paper for today.

**Hon. Mr. Lang:** When you take a look at the contradictions: on one hand they say one thing and on another hand, in various stages, they propose something different, such as not discussing, for example, the policy that has not quite been established. Perhaps not discussing or not releasing information that would contravene Federal to Territorial relations, and the list goes on. It would seem to me that they had better get their act together.

When I hear the drivel from the Member for Whitehorse South Centre and I look at the Memorandum of Understanding, which perhaps the Member Opposite has not read, it is very clear to me, as you can see, we were the reason that a good part of this Memorandum of Understanding was written. If one looks at the Memorandum of Understanding, it was because of this Government that Section 12 was included in that Memorandum of Understanding, because we recognize, and we feel very strongly, that information must be release to the public.

We are representing the people of the Territory, contrary to the Member opposite — I recognize the Leader of the Opposition has vaguely referred to a new type of Government, which he has not quite explained to the public and hopefully one day he will.

There is not much point in wasting time listening to people who really do not have anything to say. Taking that apart, in respect to the new type of Government — the consensus, or whatever, and which the Member for Whitehorse South Centre referred to, talking about committees, task forces, and whatever — we have been elected to do a job and we are doing it. We are doing everything we possibly can to process and conclude the Land Claims.

The Member opposite has referred to my capacity as the Minister responsible for Wildlife. There is no question that the Territorial laws of application are going to apply. It is a very basic principle. There is going to have to be a disposition and a common understanding before the various groups of users know just exactly what harvest is going to be taken. That is what it boils down to. From my point of view I think we have come up with a reasonable and logical conclusion to that particular aspect.

There is no question that if we can get Council for Yukon Indians' approval and the Government of Canada's we have no problem tabling the various agreements in principle. I cannot accept the principle that the Member opposite is putting forward that it is the Government of the Yukon Territory that is holding back information being made available to the general public, because it is not.

We have always, since we have been part of it, said that the people of the Territory, no matter what their background, should be informed fully in respect to the various elements that have been discussed and to what extent.

So, I cannot accept the position being put forward by Sir Gallahad and his two henchmen across the way. The point being is that it is this Government that has taken the initiative and one only has to read the Memorandum of Understanding — and we are the ones, on this side of the House, who negotiated it — to see that we believe that the public of

the Territory should be as fully informed as they possibly can.

I am more than prepared to stand up for my actions. I hope I can say the same for the Opposition, but when I take a look at their position — and we are talking in the general parameters of the COPE Land Claims — I would like the NDP to please stand up.

**Mr. Penikett:** I thought we could have had, to save a lot of time in the House, a ready agreement in support of the amendment. Since the Member for Porter Creek East again has misinformed the House, as usual...

**Mr. Speaker:** Order, please. Before this matter goes any further, I would ask the Honourable Leader of the Opposition to please withdraw the remarks as, the Honourable Member knows, they are unparliamentary. I think it would be in the best interests of all Members of the House that we do not use this language. I think I dealt with that the other day.

**Mr. Penikett:** I pointed out that the Member does not even have the name of my Party right. I want to correct the record. The name of my Party is the New Democratic Party. There is no such thing...

**Mr. Speaker:** Order, please. Would the Honourable Member kindly withdraw the remarks with respect to misleading the House?

**Mr. Penikett:** No. The Member has misled the House. The information is that it is the New Democratic Party.

**Hon. Mr. Lang:** I have not misled the House. I expect an apology.

**Mr. Speaker:** Order, please. Would the Honourable Leader of the Opposition kindly explain to the satisfaction of the House and the Chair, as to how he feels that the House has been misled.

**Mr. Penikett:** The Member opposite has made a number of allegations and assertions concerning things that I am supposed to have said in this House. In addition, he has referred to me as President of an organization that does not exist. There is no such thing as the National Democratic Party. There never has been. I would ask the Member to show some courtesy and respect, as I would to his Party, by giving the proper name for that Party, the proper form of address for its officers and show, at least, some minimal courtesies in respect to the offices which Members here may hold.

**Mr. Speaker:** The Honourable Leader of the Opposition has simply declared a difference as to allegation of fact and, to the Chair, has not succeeded in convincing the Chair that the House has been misled. I must, again, ask the Honourable Member if he would kindly withdraw the remark.

**Mr. Penikett:** I am quite prepared to withdraw the remark as long as the Member will admit that he erred. He has erred in fact.

**Mr. Speaker:** Order, please. The Chair knows that the Honourable Member, perhaps, did not intend the remark. The Chair will consider that the remark has been withdrawn and would ask the Honourable Leader of the Opposition to proceed with his debate.

**Mr. Penikett:** The Member opposite shows a fine regard for the facts when he cannot even get a fundamental, like the name of one's political party, correct.

I rise in support of the amendment. I want to say to the Member who has just spoken, that he, of all people, cannot dare to talk about contradictions on this issue. I am not about to make personal accusations and personal innuendoes. If the Member looks in his own heart and his own political history, he will know full well his own evolution of thinking on this issue and would not dare to talk to anyone in this House about contradictions.

He talks about drivel. The speech of my friend from South Centre was nothing more than a recitation of a series of facts, a fine, detailed assertion of facts. The Government Leader took issue with the interpretation of some of those facts. The Government Leader has asserted that it is CYI who objects to these papers coming forward. The Government of Canada may well object, but our information is that CYI do not object. That is as of today, when we communicated with them.

Let me be quite clear on the point that the Member has raised about the position of my Party, my Party, which I am proud of. I do not apologize for my National Leader, I do not apologize for the Members of Parliament like Members opposite. We support a Land Claims settlement. We support aboriginal rights. We support a just settlement of Native claims, unlike some of our critics.

Our approach to constitutional development, which the Member has criticized, has always been a consensus one. There are deep divisions of opinion in this community on matters constitutional, and matters concerning Land Claims. The only way a mature community can resolve those differences is if there is a full and open public discussion of the facts and the issues.

It does not surprise me that the Member opposite would condemn a consensus approach when his continuing tactic in this House is confrontation, confrontation, confrontation. Civilizations are not built by confrontation.

I look forward today with some optimism to when the Member opposite may say a kind word about another human being in this House. I realize that I may not be heard long enough to ever hear it but I do look forward to it. I have some hope that that kind of attitude towards other human beings will predominate.

We disagree in the House. We are a minority on this side. We have fewer Members against the entire weight of the Government bureaucracy and the Government Members. We are not ashamed to bring issues before the House. The fact that there are disagreements in this House is a reflection of the fact that there are disagreements in the community. There are profound disagreements in the community.

My friend from South Centre is quite right. There is anxiety, there are suspicions, there are doubts — not only about the economy, but about peoples' futures here. We will support the amendment because the amendment proposes that this Government will ask the other parties to make public those papers. That is all we are seeking. We did not, as the Government Leader suggested, seek an undue provocation or some spat today.

Mr. Speaker, you were talking about your Questions of Privilege earlier. It seems to me that the Government Leader began his speech by questioning the motives of the Member for South Centre. It seems to me that this question is one on the matters of the agreements in principle. The details of those agreements are, as I think all Members will agree, a matter of profound importance to this House.

If the Government of Yukon will make this representation to the two other parties, and the two other parties will agree — if that is what it will take — then fine. The Government Leader emphasizes that the Motion says, "once again". Let me say to the Government Leader that we have never had a report from him — he is the Minister of this House responsible — that the Government has asked on this occasion, or that occasion, or any number of occasions, to have these documents made public.

This Legislature's agenda is largely determined, except on days such as today, by the Government. We have never debated any of the agreements. There have never been any motions before us debating the negotiating policy of this Government. Those are initiatives that could have been taken by this Government. Today is the first time, since last fall, when we had a fairly healthy set of exchanges on the question of aboriginal rights, that we have discussed that in this House.

I think when the historians come to write the record, if they ever do, of this Legislature, one of the things that they will probably wonder about was why, if this was such an important issue, so little time of this House was spent discussing it. There is a little time left before the next election — there may be a little time left before the next election. If the agreement sought in this amendment can be obtained, I will be proud and enthusiastic about participating in a debate on the particulars of any of these agreements.

**Mr. Veale:** It is always unfortunate that negotiations, which are designed to bring peace to the valley, always end up being discussed in this Assembly with such heated emotion. Of course, the sense of humour of Members is something that must always be maintained and should not be lost at the drop of a name.

The Motion, as it was framed, caused me concern because it may have been regarded as interference with the bargaining process that is now taking place. I am sure that it was not brought in in that spirit, but rather, brought in in the spirit of having information made available for everyone in the Yukon.

The question always remains that the three parties at the negotiating table, I would hope, are the best parties to determine whether or not the negotiation process of reaching a final agreement will be enhanced by the production of the information required. To some extent, it is very

much like a collective bargaining process and it could or could not cause great difficulties to that process if information were made available during the course of negotiations, because negotiations then become negotiations in the press and those were the form the negotiations that were abandoned, fortunately, some year ago as being completely unsuccessful and unfruitful.

For my part, I will be supporting the amendment. I had initially thought of putting forward an amendment to indicate that if two parties agreed to make the issue public then it could proceed at that time. However, I think in order to reach an agreement that may have some unanimity in the House, and therefore have some effect on the negotiating process and the parties, I am certainly prepared to support the amendment proposed.

**Mr. Fleming:** I, myself, will be supporting the amendment to the Motion because the Motion that was brought forward did really concern me. I might say a few words as to why a Motion of this type would really concern me. There are the differences, as the Leader of the Opposition has brought up, that there are different feelings and different thoughts and even different actions taken by different people and communities, over this subject. What worries me the most was that maybe the Honourable Member who brought forth the Motion is living in a different area than I live in, with possibly different people with different feelings and different thoughts and even different actions taken by different people and communities.

What worries me the most was that maybe the Honourable Member who brought forth the Motion is living in a different area than I live in, with possibly different people with different feelings. Maybe his constituents might think that Motion was good in a sense because they feel they wish to know what is going on in negotiations. Possibly they might be right. However, we have to realize that we are in the negotiating process with somebody from the Federal Government, with somebody from the Native population and somebody from this Government, and we fought hard to get in.

<sup>31</sup> The Motion, as it was written before, I am afraid, just might have turned the Land Claims negotiation to nothing but a shambles from here on. After waiting as long as we have, and having input from all sides, it really did worry me.

The people in my riding, which is majority of Native people could very well see that Motion as something that would jeopardize those claims. Therefore, I could not support it in that way, knowing in my heart that most of the people in the Yukon Territory — and the Native people too, at the bottom of the heap everywhere — would like to know what is going on. We all would like to know what is going on.

But, I do not think we should do it as it was being originally proposed. I think this amendment, as the Honourable Member across from me just stated, is the way to go about it. I will be supporting this amendment to the Motion.

**Mr. Graham:** I had initially no intention of entering the debate at all. A couple of statements made by Members opposite remind me of the New Democratic Party questions on the EPF financing. As I understand it, they made a telephone call to someone in Ottawa in the Finance Department and decided from that point on that whatever they had been told was the gospel truth.

It seems to me that when they contact someone in the CYI they should at least be telling us who they contacted. I noticed the Government Leader did not hesitate to say that he contacted the Government of Yukon's negotiator and instructed him that he should again enquire to see if the other parties were agreeable to releasing the agreements that have been negotiated to date. I do not see the Opposition telling us that they contacted the CYI's negotiator and that the CYI's negotiator told them that he would only be too happy to have these agreements negotiated.

If that is a fact, maybe one of them will stand up and tell us that it is a fact. It is very difficult to combat an argument from Members of the New Democratic Party that it is our belief that this would be done based on a telephone conversation that we have had with someone from the CYI. They do not say if it was a secretary from the CYI, or maybe it was somebody cleaning the building, I am not sure.

<sup>32</sup> I wish that they would clear that point up, and I must admit that the initial Motion of the Member for Whitehorse South Centre had, at least to me, all of the political wisdom of a babe in the woods.

It would appear to me that if he had spent some time, read the Agreement that Government of Yukon has with the Council for Yukon Indians and the Government of Canada, he would have known that it would have destroyed that Agreement and the harmonious working relationship that we have established with the Government of Canada and the CYI. Had that Motion passed, it would have destroyed that harmonious working relationship, something that I am sure none of us in this Legislature would like to see happen.

I am very happy to see that the Members have seen the error of their ways, on the Opposition side, and have agreed to support the Government amendment, and I hope that they will continue to see the error of their ways and support more of the proposals put forward by the Government.

**Mr. Speaker:** Is there any further debate on the amendment?

*Amendment agreed to*

**Mr. Speaker:** Is there any further debate on the main Motion? *Motion, as amended, agreed to*

**Mr. Clerk:** Item No. 2, standing in the name of Mr. Kimmerly.

**Mr. Speaker:** Is the Honourable Member prepared to deal with Item No. 2?

**Mr. Kimmerly:** Next sitting day, Mr. Speaker.

**Mr. Speaker:** So ordered.

We will now proceed to Motions other than Government Motions.

### MOTIONS OTHER THAN GOVERNMENT MOTIONS

**Mr. Clerk:** Item No. 1, standing in the name of Mr. Graham.

**Mr. Speaker:** Is the Honourable Member prepared to deal with Item No. 1?

**Mr. Graham:** Next sitting day, Mr. Speaker.

**Mr. Speaker:** So ordered.

**Mr. Clerk:** Item No. 2, standing in the name of Mr. Penikett.

**Mr. Speaker:** Is the Honourable Member prepared to deal with Item No. 2?

**Mr. Penikett:** Yes, Mr. Speaker.

### Motion No. 7

**Mr. Speaker:** It has been moved by the Honourable Leader of the Opposition, seconded by the Honourable Member for Mayo that the Third Report of the Standing Committee on Public Accounts, presented to the House on March 31, 1982, be concurred in.

**Mr. Penikett:** We are dealing today with living proof of the philosophical heart of the Leader of the Opposition's tendencies towards consensus. If ever there were an example of the kind of consensus that this Member is interested in and is willing to participate in, it is the Public Accounts Committee process.

I want to say, in all seriousness, that because this is the last report of this Committee in the life of this Legislature — at least, I assume that — I want to say how well I believe the Committee has functioned in the last three years. I want to pay real, sincere tribute to the teamwork of all the Members of the Committee. When I say that, I include not only the few of us that were on the Committee from the beginning, but those Members who have served either prior to their going to Cabinet or following their time in Cabinet.

<sup>33</sup> The experience has certainly proved to me that the kind of work that this Committee has to do can only be done by a consensus process. It is perhaps only possible in a Legislature this small, with a Committee as small as we have, to achieve that kind of consensus and carry out the work as it has been done.

By way of reporting to the House, I want to say that we had a full round of hearings this year. We, once again, examined two major departments, Consumer and Corporate Affairs and Health and Human Resources. I am sure all Members of the Committee would want to take this opportunity to thank the officials from those Departments for the frank and forthright manner in which they gave evidence to the Committee.

We also, this year, followed up on previous years' reports in connection with six other departments. We met the new Territorial Treasurer, the Deputy Minister of Finance in his new incarnation, and spent some time with both him and the Internal Auditor. We were as well, this

year, honoured by a visit from the Auditor General of Canada. I think he was suitably impressed with the Territory.

This year, the thrust of our hearings dealt at some length with the accuracy and consistency of information found in the Estimates and Reports. We also spent a lot of time in each department talking about performance indicators. I think I can speak for all Members of the Committee when I say that if we are going to ensure that the taxpayers' dollars are spent efficiently and effectively, we have to be able to measure output against resources expended, be they financial or personnel.

Before I mention the recommendations of the Committee briefly, I also want to mention one other event. Late last year the Canadian Comprehensive Auditing Foundation, which is chaired by the former Auditor General, J.J. MacDonnell, published a book-length report called, "Improving Accountability". That work contained a nationwide review of the Public Accounts Committee. I think it is a matter of some satisfaction and pride of all Members, both present and former, of our Committee, that it came out as a shining example of the kind of thing a Public Accounts Committee is and ought to be. There were one or two items — the fact that we do not have a researcher and the fact that, at the time that the report was written, there was one Cabinet Member on the Committee — caused some comment. The Committee has dealt with that, and we have made recommendations. We have seen no reason, following that report, to recommend any substantial changes in our method of proceeding at all.

¶ I do hope the new Legislature, whatever its composition, will see the benefits of the Public Accounts Committee and will want to build on the solid foundation that I believe members of the Committee laid for them.

The specific recommendations of the Committee this year are thirteen in number. They have been, obviously, tabled in the House. Therefore, rather than talking at great length and speaking to them at great length, I will, as will all Members of the Committee, welcome the comments and reactions from Minister and other Members of Committee.

Because some of us may be here to see them implemented, others may not, I want to say, prior to their reactions, that one of the most useful and important features of our Committee's work, and one that distinguished it from any others, is the very constructive way in which the Cabinet of this Territory have responded to the Committees recommendations. So many of them have been implemented so quickly. I think this Territory, in a very few years, will find itself, in respect of the form and content of the Estimates, a model for the rest of the country.

Having said that, and having been relatively benign in my manner during this debate, I want to urge upon all Members the adoption of the Motion for concurrence of this Report.

**Hon. Mr. Tracey:** In the life of this Committee it has reviewed two departments that are under my portfolio. I must state that both of my departments have tried to co-operate as much as possible with the Committee. I think that they recognize the benefit of the Committee. They have conveyed that to me and I will assure all Members of this House that my departments will try to conform to the recommendations of the Committee as much as possible. It is, as the Member stated, a very nice compliment to this Legislature, that J.J. MacDonnell, in his report, said that we were one of the shining lights among Public Accounts Committees.

The first recommendation was that we should redefine our objective in Consumer and Corporate Affairs. My department has looked at this but we are not so sure whether we should redesign the objectives. I think part of what was looked at in the report was that we should include the functions of licensing of motor vehicles and professional corporations, and we felt that that was for the purpose of regulating the marketplace it should not necessarily be in the definition of the objectives of the department.

¶ To do with the monitoring of the enforcement of legislation, my department has an ongoing program to review and amend, or rewrite, the legislation which we administer. This program is limited only to the availability of funds and, therefore, man-years and research capabilities. We are aware of the need to make legislation more meaningful, but it does take a lot of time. We have many, many Acts and we

have, in the last three or four years, amended a great many of them in order to bring them up-to-date. We are presently, and have for the last three years, been continuously writing new legislation and updating old legislation.

The third recommendation of the Committee was that we have a follow-up system. This department is quite willing to research the complaints of the Committee and to try to set up a follow-up system so that that problem is resolved.

The fourth recommendation for my department was that we provide documents such as Yukon Annual Report, Summary of Statistical Information, et cetera. We recognize that the statistics in the department may not be as meaningful as they should be and I, and my department, have committed ourselves to resolve that situation. We will try to bring in a better statistical information system.

The fifth recommendation of the Committee was to establish a unit cost performance indicator for those activities where statistical information is available. The department accepts this recommendation that unit cost performance indicators would be useful to evaluate performance and these will be established wherever possible.

¶ On the Occupational Health and Safety recommendation, No. 6, that the department should establish performance standards for inspections and investigations, my department will examine the methods used across Canada in order to evaluate occupational health and safety performance and, as soon as we have that information, we will try to set up a system whereby we can evaluate the performance of those people.

Except for the first recommendation, I think that my department can certainly concur with all of the recommendations. Therefore, we will be supporting the Motion.

**Hon. Mrs. McCall:** I am particularly pleased that a Committee such as the Public Accounts Committee is in place. My officials in the Department of Health and Human Resources reported that the proceedings and discussions were not only helpful in passing on information and explaining the activities and programs, but also helpful in terms of learning how others view the department and consider information ought to be reported.

The Committee was taken it very seriously and the manner in which the meetings were conducted deserves a lot of praise. I am gratified to note that the Committee took the trouble to record appreciation for the frank and forthright manner displayed by the staff from Health and Human Resources during the Committee procedures.

Recommendation No. 7 is that the department should establish the objectives of each program in specific and measurable terms. The department is working towards not only redefining overall goals and objectives but also towards establishing program objectives which are easily understood and able to be evaluated. Some of this is already in place by means of supervision and overall surveillance by management, but the recent introduction of a computerized management information system, in Human Resources, will provide a much greater ability to measure program effectiveness.

In Health, we are still hampered by an outdated manual system, but the tasks will be made easier as we move into computerized systems in the next year. It should be noted, however, that evaluation of social programs is a very difficult, although not impossible, task. The perceived effectiveness of social programs is often in the eye of the beholder and hard measurable data is often not available. Nevertheless, I welcomed this recommendation and can assure you that we shall, throughout the year, pursue means of clarifying objectives and introducing measurement techniques.

¶ Recommendation No. 8 is that the department should report all statistical information on a fiscal year basis in the Yukon Annual Report.

The only information in the Yukon Annual Report, in the area of Health and Human Resources, not reported on a fiscal year basis, is the information on vital statistics. We shall see that this is done in the future, although, throughout Canada, vital statistics are reported on the basis of the calendar year.

Recommendation No. 9 is that the department should include information on the Yukon Hospital Insurance Plan and Medicare in the Yukon Annual Report.

There will be no problem in providing information on YHIP and

Medicare in future Yukon Annual Reports. The department is planning, if time allows, to table a combined report on Health and Human Resources in the fall. You will notice that in the past that such a report on Health has been tabled, but given the amalgamation of the departments, I think it would be helpful, not only for the Members, but for other interested persons, if we provided a combined report with as much relevant information as we are able to provide.

Recommendation No. 10 is that the department should ensure the accuracy of statistical and financial information included in its estimates and it should provide explanations in the estimates of significant variances from information provided the previous year.

There is no problem with this recommendation. It is certainly the wish of the department to provide information which is not only accurate but helpful in providing understandable information. I am particularly keen on pursuing this recommendation because I believe that programs in this area are not always fully appreciated or understood. The stigma of welfare casts a dark shadow over all areas of activities, and myths about social programs are often perpetuated and exaggerated by particular biases. It is therefore important to us that we provide information which allows for an improved and more complete understanding. The specific comments such as: more narrative, number of children in care, cases opened and closed, cost of care in residences and YHCIP information on claims, are matters that certainly will be addressed in future reporting.

Recommendation No. 11 is that the department should establish performance indicators for social workers and disclose in the estimate.

This is one of the more difficult recommendations for us to address, but nevertheless the department will attempt to disclose such information. The difficulty lies in the fact that caseloads are not readily and easily able to be weighted in terms of complexity or difficulty. This is particularly true in field offices where staff carry generalized caseloads. We just do not have enough staff to have a small caseload. In order to rectify this, we would have to see a dramatic increase in staff which would not necessarily be defensible in terms of program or cost effectiveness. Nevertheless, proper and just caseload distribution is a desirable goal.

Performance indicators are another matter. If we mean effectiveness on the job, then that is the matter of a personnel record. If we mean effectiveness of program delivery, which I think was what was meant, then that can be dealt with, if not at the individual level, at least, at the program level. If this goal is achievable I would consider more appropriate in a way to provide such information in the departmental annual report rather than in the main estimates. Information on caseload statistics and distribution, however, would be appropriate for the Main Estimates. In conclusion, I would like to assure the Committee that we will take very seriously, and implement where we possibly can, the recommendations that have been made. I would like to add that I think this has been a very constructive exercise.

**Mr. Hanson:** As a Member of this Committee, I would like to say thanks to the staff afforded us in their work in this Committee and thanks very much to the witnesses who appeared in front of us and gave such excellent co-operation. I have to also thank the two Ministers who have so far answered us for their co-operation and their honest attempts to implement the recommendations put forth by the Committee. The Committee goes through a lot of work, so does the staff, and it is nice that the Ministers and the Department Heads realize that this is done to help them. Most of them come in with a little fear that they are there to find the skeletons in the cupboard, similar to the McCarthy inquisitions in the States. It is not like that at all. As the people who have come before us can tell you, we are quite easy to get along with most of time, 99 percent of the time. I feel that they are learning as well as we are learning about the department. They are learning the way we operate and how we try to get our facts to them. My term in Committee has been very enjoyable and I have learned a lot. I do not feel it was a bit of wasted time at all.

*Motion agreed to*

**Mr. Speaker:** We will now proceed to Public Bills and Orders other than Government Bills and Orders.

## PUBLIC BILLS AND ORDERS OTHER THAN GOVERN-

## MENT BILLS AND ORDERS

**Mr. Clerk:** Second reading, Bill No. 101, standing in the name of Mr. Penikett.

### Bill No. 101: Second Reading

**Mr. Penikett:** I move, seconded by the Member for Faro, that Bill No. 101 be read a second time.

**Mr. Speaker:** It has been moved by the Honourable Leader of the Opposition, seconded by the Honourable Member for Faro, that Bill No. 101 be read a second time.

**Mr. Penikett:** I will be brief. The Member for Porter Creek West has expressed some concern that I might be long-winded on this subject. This is a serious matter and even though I shall be brief, I hope to at least persuade Members opposite of the wisdom of this modest proposal.

<sup>39</sup> The principle of the Bill might be better described if the title were "Freedom of Information and Protection of Privacy", because there are two ideas embodied in the Bill. The first is, as is stated in the Bill, that any resident of the Territory may request in writing, from a governmental organization, any public document or where the request reasonably identifies a subject matter, a list of public documents affecting the subject matter. Upon receiving the request, the Government organization should make available, as soon as possible such documents or, list of documents, for examination of copy.

The Bill also includes a list of documents that might be exempt and an appeal process against decisions. The second principle contained in the Bill also makes clear that any individual may apply to the Government for a record of his or her private business, and the Government should, within a reasonable time thereafter, provide a copy of the record to the individual who so applies. It also makes clear that it would not be the Government's business to disclose one individual's private business to a third party without consent.

I will not go into a lot of detail about the procedures in the Bill. Members who have studied this matter will know that I have pirated, plagiarized, or borrowed this measure from other jurisdiction where it has been introduced. I do think that I should confess, and this is something that all Members opposite should think about, that all Parties in Canada publicly support the Freedom of Information Principle.

I note, from reading the record, that all three parties in the Ontario Legislature, for example, are on record as supporting the principle. All three parties in the House of Commons are on record as supporting the principle. Both parties in the B.C. Legislature are on record as supporting the principle. But, nowhere, in any Legislature in the country, has there yet been passed a freedom of information bill.

There have been bills passed which have been called Freedom of Information Bills, but bills which recognize this principle, which are bills that are similar to the U.S. or Swedish bills — which are two of the model bills in the world — have not been passed. In fact, there is nowhere in Canada where citizens have the kind of access to public information that exists in the United States.

I would like to briefly say something about why this information is important. I want to again plagiarize freely from one of my colleagues and put this issue in its historical perspective.

Most people who think about these things view the parliamentary system as the institutional core of our democracy. In reality, however, our parliamentary system existed long before democracy, as we now use the word, was even contemplated. It is down through the centuries that the arbitrary power of the Crown was attacked by Parliament. Theoretically, those powers lie within the legislative branch of Government. But, in fact, in recent history they have been increasingly transferred to the executive branch, in other words, the cabinets. That is not a remark about the Yukon so much as about legislatures in the English speaking world.

In addition, our parliamentary system has a tradition of administration secrecy. It is centered in the secrecy with which Cabinet deliberations are carried on. It is bolstered by the kinds of oaths of office which commit civil servants to divulge only what has been authorized. In short, the public image of the parliamentary system is the institutional core of our democracy in popular mythology. In

essence, though, our parliament was inherited from an undemocratic past. Legislatures, even today, are potentially undemocratic. It is possible, without freedom of information laws or without the freedom of information ethic, that our parliamentary system could remain fundamentally undemocratic.

I am sure that all Members here will agree that without an informed citizenry there can be no democracy. At best, we will always have the kind of benevolent paternalism which we think of as being exemplified by the better societies in the middle ages. That kind of system can always degenerate into something much worse.

You cannot have an informed citizenry if governments, at whatever level, operate behind veils of secrecy. I think the citizen should have access, as a right, to information regarding the formulation and the implementation of policies which, with modern governments, affect every aspect of life.

The Government Leader and I have exchanged expressions of opinion publicly on this subject before. The Government Leader has talked about his ideal of open government. I recall, when I was in high school in Edmonton, that there was a Premier of the province in those days named Ernest C. Manning, who used to be sometimes criticized for not having an open mind. The response from Ernest Manning, to this criticism, was "An open mind is an empty mind." I do not think that you can talk about open government being empty government. Open government, no matter how often you state the ideal, is still an extremely difficult goal to achieve.

There is a lot of disagreement about how this is to be achieved. There are two general avenues. The first is that suggested by a recent report in Ontario and another report called the Wall Report in Ottawa, that there be a grass roots reorientation of thinking of all people in governments from Ministries down to the Civil Service.

I think there are real doubts about whether this approach can be effective, even in small communities like ours. Lifestyles are rarely changed by exhortations alone. The lifestyle of administrative secrecy, which has characterized our parliamentary system, will not change without clear cut guidelines backed by the force of law, which brings me to the second avenue.

What is needed, I believe, is a *Freedom of Information Act* along the general lines of the Swedish or U.S. Legislation. It should establish a clean break from the tradition of administrative secrecy. Instead of all government information being secret except when those in authority deem appropriate to make it public, all government information should be available to the public except that which falls into exempted categories. These categories should be defined as precisely and as narrowly as possible.

Freedom of information does not represent a threat, as some argue, to our parliamentary system of government. It may well be the means of saving it from some of the growing sense of alienation which citizens feel from government. The case can be put positively. Freedom of information is the greatest single means at hand to democratize a parliamentary system which was inherited from an undemocratic past and whose tradition of administrative secrecy is a denial of vitally needed information for a health democracy.

To bring the matter precisely home, when this House was first elected, a number of us found on our desks something entitled, "The Government of Yukon Territory Procedure Directive" and it was titled "Requests for Information from Members of Territorial Council and Members of Parliament" and its date of issue was January 6, 1977, effective date January 31, 1977. The origin was the Clerk of the Assembly. This document laid out a procedure for the Members of the Legislature. I would just like to read a brief excerpt from it, "From time to time departments may receive requests for information or services from Members of Parliament or Members of Territorial Council who are not Members of the Executive Committee. As with all requests from the public, these requests should be dealt with as promptly and as courteously as possible. However, requests from elected representatives acting in their official capacity rather than individuals, require special consideration."

"Scope: this directive applies to all employees when dealing with Members of Parliament or Members of Territorial Council."

"Procedure: All inquiries or requests for information not generally available to the general public from Members of the Territorial Council will be directed to the Clerk of Council."

"The Clerk, in turn, will request the information from the appropriate Deputy Head; indicating that a Member of the Council wants the information."

**Mr. Lang:** In respect to the ladies doing Hansard, perhaps the Member opposite could slow down.

**Mr. Speaker:** The Chair had noted that but perhaps the Honourable Member had forgotten. Perhaps a copy could be provided following these proceedings.

**Mr. Penikett:** I do apologize for speaking to fast, I was trying to keep in mind the desires of the Member for Porter Creek West, but I will make a copy of the document available to the reporters afterwards.

It then goes on and talks about "the Deputy Head will review the request for information and will consult the Records Office and Archives and determine what information is available and its classification". The next point is "if the information requested is not classified as confidential or exempted as defined in PRO 2/117 it will immediately be made available to the Clerk for transmittal to the Member. It will be the responsibility of the Deputy Head to review any files containing classified information." Anyway, I will not read the whole thing.

The point of the document was that when we enquired about this procedure, the incumbent in the Office of the Clerk indicated that that policy did not seem to be operational and that, as we later found out from various Ministers, we were to direct our enquiries through the Minister. Now this, most of us do and have done but, there is a problem even for MLA's in getting this information because a lot of the time it takes a long time to get answers back from Minister's offices. One sometimes fears when one is making these requests as MLA's that one is not able to get information that would be available to you as a citizen if you simply called up and did not identify yourself and said, "I want to know about this or that."

It seems to me that there are a lot of jokes about excessive secrecy, or the tendency of some people in Government circles to have a big "Secret" stamp or "Confidential" stamp to stamp every document that comes across like that. I think that is unnecessary.

The other day, our researcher was talking to a senior public servant about some information that ought to have been routinely available. He was told that the request would have to go through the Minister and he asked, being new to the job, what the reason for this was, and he was told that if the information was considered classified and not available to the general public, the request had to go through the Minister rather than through the Clerk of the Assembly, as through the old procedural memo which I read part of.

He also said that the information would be available to a member of the public, but there was some kind of practice or protocol where Members of the Opposition, particularly, had to go through the Minister so that we did not overload the system with requests for information. That seems to be an extraordinary kind of response to requests for information from the Opposition, which I am sure all Members will recognize are not frivolous but arise from requests that we get from our constituents.

As Opposition Members I think we see this problem in a very different way from Government Members. A Government Member, when he gets a request for information, in an indirect way probably has the entire resources of the public service at his command and can at least provide to the citizen as much information as the public service is willing to give to the Minister or to the Member. We do not even have that luxury because we have to go through the Minister, and what information is filtered through the Minister we can pass it on to the other citizens.

I think freedom of information is a very serious issue. Let me describe one more example to you. Recently I wrote to a Minister of this Government about a constituent's problem, and it was a problem of interpreting a regulation which this citizen had fallen afoul of. I made a representation on behalf of this constituent for



some, if you like, Ministerial flexibility in its interpretation. The Government acceded to the request. I was very disappointed that the Government chose to communicate directly to the constituent rather than to me. That may have been an administrative error on that one occasion. But it can point out the kind of frustration Members of the House may feel, and on their behalf citizens may feel, in getting information from the Government.

This is a very modest proposal we are bringing before the House. I recognize that there are difficulties with the proposal. I hope the Government will support the measure at second reading and allow the Bill to at least go to Committee so that some of those practical problems with this kind of proposal can be dealt with in time in a constructive and deliberative and thoughtful way.

**Hon. Mr. Tracey:** I would like to congratulate the mover of the Bill for the industry and energy he have put into it. I am happy to say that the concept of permitting members of the public to have access to Government documents, and particularly documents which concern themselves, is something that I agree with and every Member of our Caucus agrees with. As the Member stated almost, every party in Canada agrees with it, in the provinces and in the Federal Government.

Unfortunately, I do have a number of concerns about the Bill as constructed. Some of the wide-ranging rights that are given to casual individuals to require inspection of all but a limited number of Government documents, and to have access to documents, which in reality, only concern other individuals, should have some measure of control. The proposed Bill largely adopts the thrust which governed the introduction of similar Legislation in the United States. When the U.S. legislation first became law millions of dollars were spent, not merely on staff searching for and screening documents which were required, but above all, on hiring a host of lawyers to advise all of the agencies concerned as to what ought to be released and what ought not to be released. In turn, individuals who were refused could make application to a court for a disclosure order.

Each application resulted in its own court case. A further horde of lawyers was then engaged, of necessity, by the government to appear in court, and an equal number to appear on the other side. Many of these individuals were supplied through their Legal Defender or Legal Aid system. The rights were to a great extent used by inmates and ex-inmates of Correctional Centres and penitentiaries. These people using the Public Defender system demanded particulars and information in police or agency files. As a result, a number of informers and persons who aided the police and the FBI were murdered, others went into hiding and sources dried up or disappeared.

I am not putting these difficulties forward as insurmountable. I do say that the present Bill ignores the large expenditures and staff increases which will be necessary to carry out its provisions. Yukon is a new and relatively small government. The difficulties I mentioned are very real ones and must be solved before I could approve the specifics of the Bill. The reading of the Bill shows that the possible hurdles that are obvious in the Bill will cause great trouble and expense.

Any document which is private business is also a public document. Although some attempt is made in a number of sections to protect the individual's privacy, that protection is limited only if the release would constitute a clearly unwarranted invasion of privacy. Everyone with half an eye can see that if an application is made for a private business document to a lazy or friendly official, of which we have a few friendly ones around, at least, he will take a friendly view hand over the document. But you say, "what about section 5 in the proposed Bill?" Well, what about it? Even if section five...

**Mr. Speaker:** Order please. It is not proper for Members to discuss sections of the Bill at this time. Proceed.

**Hon. Mr. Tracey:** There are provisions in the Bill to overcome this situation. If you deal with previous provisions, it does not make it possible to keep that information back.

The Yukon Government has a reputation of being an open government and sometimes perhaps too open. Any individual who

asks for information about non-private transactions usually gets it without any difficulty. Our staff in Records and Archives have a well justified reputation for assisting the public and researchers. Many other departments, notably the Wildlife Department, have perhaps too freely at times helped researchers and others to obtain information.

I ask why any of our staff should spend many weeks producing statistics and information and, for that matter, poke through hundreds of files when people who get information are consultants who sell this information for hundreds of thousands of dollars. This is no imaginary case, either. It has happened time and time again in connection with various hearings up and down this Territory. What do they pay for this free service? Not one dollar.

Similarly, our own Justice Department and Health and Human Resources Department provide background studies and figures — all free. If there is one improvement that is essential in this Bill, it is a provision for payment for the true costs of providing the information. At present it is all provided free. We have a real potential here for turning all of our useless paper into money. Why should our officials serve private consultants, film companies and writers free?

Because we are all so new to a real democratic government, my friend is anxious to run out in front and cry, "We are the forerunners". I, and my colleagues, say that we should walk before we run. We are in no hurry on this one. I hear of no refusal on our part to provide information on request. I think that we have been very open and I am sure that every Member who has ever approached me, or my department, can certainly get information.

Before we embark upon this important project, let us find out what evils we are trying to cure. Perhaps it is a different kind of medicine we need. Let us allow a province like Alberta, for example, to gain some experience in this field to find out what the real costs are, to see what the difficulties are. Then, in the light of their experience, we can start down this difficult road ourselves. In the meantime, let us keep a record of any refusal of information which causes difficulty to one of our citizens, and I for one will undertake to try to assist in a practical solution to the problem that any such person brings forward.

**Mr. Veale:** I would like to begin with a quote from James Madison in 1822, "A popular government, without popular information or the means of acquiring it, is but a prologue to a farce or a tragedy or, perhaps, both. Knowledge will forever govern ignorance and the people who mean to be their own governors must arm themselves with a power which knowledge gives."

That was stated a long time ago and it is always astounding that, in fact, democratic governments have not basically rectified that situation. There is no doubt in my mind, and in the minds of many — and I quote this from a report that was prepared regarding freedom of information in this country — "that perhaps the most single important institutional repository of information about our society, and its political, economic, social and environmental problems, is government."

Of course you have to remember that that information is generated at public expense. I think the cost issue raised by the Minister and Corporate Affairs is something that should be considered. We could certainly debate that at length when this Bill goes to Committee stage. It would be interesting to work on how to keep those costs reasonable so that the Government and the taxpayer do not end up having horrendous costs in complying with the legislation but, at the same time, assuring that the costs are not so unreasonable as to make it completely useless legislation for the average individual.

I must stress that the greatest danger to freedom of information has been freedom of information legislation. I do not make that statement lightly because if the legislation is legislation which sets up an incredible number of exemptions, ministerial discretion and so on, the legislation makes the situation probably far worse than it had been prior to that. I would look at this proposed Bill in that light. I have looked at it and it does meet a lot of the concerns that I would have from a Bill that might come from the Government side who, naturally, are more concerned about confidentiality. That is something that we have to look at very carefully. I expect this matter will proceed because the Government is not opposed to it — if I read the Minister's statement correctly. We have to look at it very closely to ensure that the legislation does not become prohibitive in terms of seeking information.

I think that it is important to realize, of course, that one of the real founders of the freedom of information movement in this country was a Conservative Member of the Parliament of Canada. Mr. Baldwin did a fantastic amount of work on that and has been given a great deal of credit for it. The amazing thing is that the legislation in the Federal House has not moved for some time. It causes me great concern that that is happening and I am very hopeful that that is going to proceed this year. It would be unfortunate if it did not.

In 1976, the House of Commons unanimously approved the concept of freedom of information. I hope that this Assembly can demonstrate the same kind of approval for the Bill at hand, as amended, if necessary, ensuring that freedom of information will always be the highest priority.

We, in the Yukon, do not have many national security concerns — or the *Official Secrets Act* concerns — that surround the legislation in the Federal Government. As a Government, we are not dealing in the external affairs of this country to the extent that the Federal Government is. That alone makes it much easier for this Government to adopt freedom of information legislation.

The stress on the confidentiality of Cabinet policy deliberations is not really a problem because everyone is prepared to concede that the discussions about Cabinet policy and the minutes from Cabinet meetings should not be made public.

<sup>47</sup> I have never heard an argument yet that can say that the documents, reports, research and information that the taxpayers' pay for, and that Cabinet considers, should not be made public. There is actually nothing to hide. The facts may, in some cases, result in embarrassment to the Government. There is probably a good example of that tabled in the House today. The Report, "Towards a Future for Yukon Wildlife" has been under wraps since it was prepared in 1977 or 1978 and finally, after much urging — I note the timing of it is rather coincidental that it was put forward today — we are certainly very fortunate that the Minister decided to reveal it after several months of considering the question.

The advantage of having the legislation is that the Minister cannot sit on it. I would like to see the principle of a specific timeframe in the legislation to produce the information — in the United States it is ten days — so there is no sitting on it and all the concerns that are raised because the information is not made public.

The other thing, in response to the Minister's statement, is the obvious concern of the cost of litigation. The way to resolve that, of course, is to have a piece of legislation that makes the most information available. That really resolves a lot of the problems. If, in fact, a court case proceeds and the citizen wins against the state — that the information should be released — then the costs are going to be paid by the state. That is only appropriate, but in each case there will be a certain amount of publicity that goes along with that, establishing that the Government was attempting to keep things under wraps when it should have followed the information legislation and avoided any of the legal costs that are of such concern.

I would like to conclude with some quotes from an article by Murray Rankin, entitled, "Freedom of Information in Canada — Will the Doors Stay Shut?". He says as follows, "It is essential that Canada follow the lead of the United States in providing an effective means for the ordinary citizen to scrutinize government activity. The right to confront the decision-making apparatus of the state with informed opinions is the foundation of liberal democracies. If the enormous growth of government activities has been accompanied by an increasing insulation of the decision-making process from political responsibility, the government cannot be allowed to escape public scrutiny by clinging to 19th Century notions for support. There can no longer be any justification for the aura of secrecy which surrounds business of government. Access to government information is essential to participatory democracy and access must be a meaningful legislative right rather than a sham. There is no compelling reason why courts in Canada should not be entrusted with the responsibility to review all information requests which the government has denied. Anything less would continue to erode the trust relationship that should exist between the people and their government."

<sup>48</sup> **Mr. Speaker:** Are you prepared for the question?

If Members wish to continue in debate, please identify yourself by

rising, because when I am about to put the question, it is not proper for any Member to rise. I will, in this one case, permit further debate by the Honourable Member for Whitehorse South Centre.

**Mr. Kimmerly:** The issue of freedom of information is a fundamental and extremely important issue and that is why I rise to speak on this Bill. I wish to draw some analogy to my experience as a member of the judiciary in this Territory and to remind Members of the very fundamental importance of this kind of legislation. It is a tradition — in criminal matters it is statutory, but in civil matters it is often not — which citizens think of as a very fundamental civil right: that the judicial business of the country is done in public.

It is a constitutional tradition that is not enshrined in the law, but is the constitutional common law that the legislative business of the country is done in public. As soon as any Legislature or any Court were to close the public galleries, there would be an outcry, and an outcry of some magnitude. The fundamental difference — and it is absolutely crucial — between the police state and the so-called democratic state is that the system of justice is carried out by judges and by court processes which are both public and independent of the executive arm of government. Those are two fundamental issues. With regard to the executive and legislative arms of government, you cannot say that some countries are completely free and some countries are not free in the sense of being a dictatorship or communist or some other like word.

<sup>49</sup> Democracy is a matter of degree, it is not an all-or-nothing proposition. It is well-known and it is uncontroversial among constitutional scholars and academics. The two major fronts where there is growth and movement in the democratic civil rights areas are, first: freedom of information, being the most important; second: subordinate legislation which, of late in many countries, and all of the provinces and territories, has been increasingly used as a method of legislation on extremely important matters where the full democratic processes, as citizens expect them to be, are in fact absent.

The first and foremost principle is the freedom of information. It is absolutely essential that citizens and Members of this Assembly be afforded the information that is necessary for them to be fully informed with regard to making a decision, with regard to their vote and their expressions, privately and publicly, and their communications. This Bill is a wide-ranging Bill. The general principles of the Bill are well-described in the legislation, in language that is easily understood to common people. I would urge upon all Members the acceptance of the principle of the Bill at this Second Reading vote.

With regard to our specific situation here in Yukon, I am moved by the speech of the Minister of Justice where he said that he is very open. I say this to the Minister of Justice: he will remember very well a conversation only last week where I was denied information. I would challenge him that if this Bill had been law at the time, he could not have done that. Incidentally, I am going to be asking for the same information about the taxi contract in the Budget Debate.

<sup>50</sup> **Hon. Mr. Lang:** It was not my intention to speak to this Bill but in view of some of the comments that have been made, I felt that it would be appropriate to stand up and make a few comments.

I do not think anybody in this House, in deference to the Opposition, is opposed to the principle of freedom of information. It is a fundamental principle within our country and it is a right and a privilege that every citizen should have. I refer back to the speech made by my Honourable colleague. Contrary to what was said in earlier debate, I do sometimes refer to him in that capacity — the Leader of the Official Opposition, as well as our colleague from Riverdale South — if you are going to legislate something like this, you must consider two factors: costs, which is always a concern to the taxpayer — at least from this side of the floor and I would like to think from that side of the floor — and also from the perspective of what is exempt as opposed to what is not exempt. It is important to note and I find it very much of a contradiction.

I refer back to the Motions for the Production of Papers, and by reading this Bill it would appear to me that that Motion would have been totally out of order under section 4(e), because there are negotiations. If we look further on in the Order Paper there is, by the Member who just spoke, a resolution requesting information in respect to a draft policy. Under this particular Legislation that would not be made



available to the Member opposite.

With this piece of legislation, the report that I did not want to table as Government policy in respect to agriculture versus wildlife and the various implications there, it would not be made available.

I did not interrupt the Member for Riverdale South during his dissertation; I trust he would give me the same courtesy.

It is very, very important, in any deliberation of freedom of information which, as the Member across the floor knows, that it be done in such a manner that we definitely do not impinge on the rights of the individual — which one could do in the drafting of legislation.

I think there are a number of areas here that I personally think would have to seriously be scrutinized. I have no problem, on this side of the floor, in saying that there should be further discussion and examination of the various options that are available.

The other reason that I put caution forward is that it is my understanding that in the United States, with the Freedom of Information Law that was passed, there were 19 people hired for three and a half years to go through the Kennedy papers.

Good, bad or indifferent, I am sure those implications were not clearly understood by the legislators of the day. I am not saying there would not be one. What I am saying is that we can learn from other parts of the country. I understand that Alberta has, at least in part, a freedom of information Bill, as well as the United States.

On a lighter note, and in conclusion, the thing that I find rather disillusioning in respect to this Bill that was brought forward with all good intentions by the Leader of the New Democratic Party, is that there is no reference to Caucus deliberations and the freedom of information for the citizen to become involved. Perhaps that could be discussed later on in Committee in respect to the whole context of the Bill, and how far this is going.

In conclusion I recognize that you have been sitting in that Chair since 1:30 and it is approximately 4:30 and I must say that that is a long time. I will conclude my comments by saying that I am more than prepared to discuss the contents of this Bill at some later date in Committee of the Whole.

*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 that the House resolve into Committee of the Whole.

*Motion agreed to*

*Mr. Speaker leaves the Chair and Mr. Fleming takes the Chair as Deputy Chairman of Committee of the Whole*

## COMMITTEE OF THE WHOLE

**Mr. Deputy Chairman:** After a brief recess, we will be going into Bill Number 5.

*Recess*

**Mr. Deputy Chairman:** If you will turn to Page 72, I think we were having general discussion on Administration.

**Hon. Mrs. McCall:** I presume that we have finished with general debate on the subject so we are starting at Page 72.

**Mr. Deputy Chairman:** I do not believe that we have finished general debate. Have we?

*On Administration — Human Resources*

**Hon. Mrs. McCall:** I will give a small preamble, since I gave a rather long introduction to the whole department. The Administration program encompasses person-years and salary allocations for all Human Resources' staff, excluding vocational, rehabilitation and residential facilities, together with general operation and maintenance costs such as travel, office supplies, rentals, staff training, advertising, vehicle costs, telephone and communications, et cetera. The

program is broken out into five separate activity levels with the first four activities reflecting, to a large degree, the organizational structure of the Human Resources aspect of the department. The fifth activity, Yukon Family Planning, is a three-year program funded solely by National Health and Welfare.

**Mr. Kimmerly:** I would have expected a slightly longer introduction, but I will ask some more or less specific questions about the general issue. In last year's estimates, on Page 73, there is an explanation of changes which explains the reorganization of the department in late 1980. In this year's estimate that explanation does not exist in writing. Would the Minister explain the reorganization which has obviously occurred? We have gone from 48 person-years to 57 person-years and the Minister has already told us, in a very general sense, that the Alcohol and Drug personnel have been put over into this vote. What are the numbers of personnel and where are they being moved? Could I have a breakdown of the personnel between the general categories of the four major areas, specifically, the Field Region and the Whitehorse Region? In doing that, the Minister might make reference to some workloads or take my comments now as notice of questions under the specific lines. I am specifically interested in caseloads of the old Alcohol and Drug Services and the way that caseload is going to be transferred to general administration. That has not been answered in a press release or ministerial statement in any way. Could the Minister elaborate on that issue?

In the last five years of the department, the total Budget has increased approximately 67 percent or by approximately two-thirds. The total Budget for administration has increased 80.15 percent, substantially more than the two-thirds. I do not wish to appear critical but I would like an explanation of that figure, especially considering the peculiar circumstances in the estimates in that the person-years are increasing by 19 percent, in this program — I realize that is probably completely a transfer from other programs — but the expense of general administration is decreasing by 25 percent. Is that realistic? If it is realistic, what is the explanation for that seeming contradiction?

In the general category, if we look at the 1981-82 estimates, the number is approximately \$670,000 and the 1981-82 forecast is \$813,000, — a fairly substantial difference which has not been explained in a Supplemental Estimate to date. Could the Minister relate the 1981-82 forecast to the 1982-83 estimate, because last year there was a significant overexpenditure in that line. This year the estimated expenditure is lower than the last year's estimated expenditure and the administration is for almost 20 percent more people. I just do not understand how that figure could be accurate. I would ask for an explanation as to how it was arrived at.

In order to save time, perhaps, I have extensive questions about the Alcohol and Drug reorganization and I am assuming that this vote is the place to raise those, because the personnel are now under this particular vote. If I am wrong on that, I would appreciate the guidance of the Minister.

**Hon. Mrs. McCall:** I think that I was going to abide by what the Chairman said yesterday: we would take each vote and then go through each activity with an explanation. I think that that is the most orderly way to do it. Probably many of the questions that the Honourable Member has will be answered as we go along. There are so many questions at the beginning, it is easier to sort it out this way. I may as well add to the information that I gave as an introduction, which I think will save many questions.

The general activity encompasses the person-years and salaries for the Deputy Minister and secretary as well as all support staff to Human Resources programs ranging from Departmental Administrator, Director of Research and Training, two clerical staff responsible for processing departmental payment documents, et cetera. The primary activity, which occurred during this year, was the implementation of an automated client index system, upon which all clients involved in Human Resources programs are registered, together with their specific program involvement. The system provides a variety of statistical and caseload information, enabling the department to better manage and handle program delivery. Cost of this computer system amounted to approximately \$175,000, which is fully recoverable from National Health and Welfare.

The Field Region encompasses person-years and salary allocation

for all Social Service staff engaged in service delivery to Yukon communities outside of Whitehorse, together with Alcohol and Drug Services. During the past year, Alcohol and Drug Services staff, with the exception of the Detox Centre, were consolidated into the Field Region for the purpose of enhancing and integrating service delivery to Yukon communities. I must emphasize that. I think that the Member has a number of questions on that, and speaks of the disappearance of ADS. It is not the disappearance at all — it is the consolidation of services.

Although we know that there are staff that are perhaps a little upset with this, not understanding what the overall picture is, but it is a much, much better plan. They will eventually see that it is better. It is natural for human beings not to want change in their lives, but this is going to be a good thing.

The Field Region also includes two Regional Supervisor positions, a Northern and a Southern, which are in the process of being developed from existing person-years to further strengthen and enhance the department's ability to provide an effective and efficient service to the public throughout Yukon.

The Whitehorse Region encompasses person-years and salary allocations for all social service delivery staff providing services to Whitehorse and surrounding areas. Two new person-years have been added for the 1982-83 fiscal year — one being a generalized social worker to assist in dealing with increasing caseloads, particularly in the area of social assistance, with the second being to fulfill a dual role of auditing social assistance budget and information sheets to ensure the eligibility of the recipients and the appropriateness of the assistance provided, together with developing and implementing a Yukon Employment Opportunity Program — we discussed this in general discussion yesterday — which is aimed at coordinating the return of employable social assistance recipients back into the work force.

<sup>55</sup> This is, of course, a very important thing and very significant in our Budget. Under Child Welfare, this activity encompasses person-years and salary allocation for Child Welfare and Juvenile Probation staff who are responsible for operation of the department's group homes, location and maintenance of foster homes as well as other placement and support services under the *Child Welfare Ordinance*, together with provisions of services under the *Juvenile Delinquent's Act*. The provision of Daycare Services is also undertaken within this activity.

Lastly, the Yukon Family Planning is a new program in this department that was initiated during June, 1981 for a three year period. It is 100 percent funded by National Health and Welfare. The first year of the program, which was recently completed, was for the purpose of assessing and developing requirements for a Family Planning program in Yukon, with the remaining two years being to develop the operating parameters of the program leading eventually to formal implementation of the Family Planning program in Yukon. This activity includes funds for one contract position.

I will give a little more information on general administration. The primary change is the computer client index system and the costs are \$175,000. They are 100 percent recoverable from National Health and Welfare, but they have nevertheless inflated the expenditure level projected for 1982-83 for this activity; otherwise, the change is generally economic in nature only. In the Field regions, the changes are due to the transfer of Alcohol and Drug Services professional staff, six person-years, from the program of Alcohol and Drug Services into the Field Region. This is solely a reallocation of person-years to reflect the organizational structure of the department, as these particular staff will continue to hold responsibility for alcohol and drug programming and delivery.

In the Whitehorse region, the change is due to the establishment of two new person-years, a Social Worker and a Social Assistance Auditor Employment Opportunities Co-ordinator. The remainder of the changes there are due to general economic increase.

In Child Welfare, we have held the line there, a little staff travel cut.

In Yukon Family Planning, that is just because it started in June.

<sup>56</sup> **Mr. Kimmerly:** I would acknowledge that it is probably more efficient to discuss the various lines as we go through them. There are some general questions that I have which relate to more than one line. Under which line is the reduction for rent? I have previously been advised that the figure for office space in this building has been taken

out of the individual departments and I would ask what was the figure and under which line is it taken out, or is it in fact all of them?

I have a general question about the client index system that probably comes under General but also relates to the two regions. I would ask for the expense of that system and as well as a related question about the security of the system. We have recently talked about freedom of information and a related topic: privacy. I will ask about the procedures or codes or safeguards to ensure privacy and if it relates to the Field Regions as well as the Whitehorse region?

I will give notice to the Minister that I will ask the bulk of my alcohol questions under the Alcohol program, although I do not want to cut off debating or asking questions about this concept. When Alcohol and Drug Services was a department with person-years, it was relatively easy to find the caseloads of the various alcohol workers and to identify in a monetary way the —

**Mr. Deputy Chairman:** I may have to remind you that on Page 83 you will find Alcohol and Drug Services. It would be appreciated if you would stay with Administration now. We will come to Alcohol and Drug Services.

**Mr. Kimmerly:** I will simply ask an Administrative question then. What are the Administrative procedures? It would probably be relevant to all three of the first lines to identify the costs in the new organization of social problems related to alcohol. Where in the Budget is it appropriate to ask questions about the administration of the collection of Medicare Premiums?

<sup>57</sup> As a further question — perhaps it is more of a comment — in answer to the Minister's statement about the staff being upset in some departments, it is my information, and I would ask a general question about this, that as far as I know there is no substantial upset about the reorganization as an efficiency of operation. There is an upset about the way it was announced or made known to some individual members of the Department. Perhaps there is enough said about that already. It is not particularly a relevant factor to the Budget.

**Hon. Mrs. McCall:** I really think that the Honourable Member will find that his questions on Alcohol and Drug Services will be better answered and more clearly answered if we do wait for that vote. I am sure he will find that.

As for rental, that was within Finance and Government Services and we do not know exactly where each bit of rent was taken from. That has been a substantial amount.

Privacy of patients — just to touch on it, and I am not going to repeat on this so that we can get into it — but the privacy of clients is something that we are just completely aware of and something that we strive for constantly. It is mandatory that we do that, and we take it very, very seriously.

As for Health and Medicare premiums — that is the Health vote, so perhaps if we go on it will unfold and the Honourable Member will see the logic of it.

**Mr. Kimmerly:** As to the statements of the Minister about the privacy of information, I welcome that statement and it is not anything new, of course. I in no way challenge it, but I would ask what procedures are there and what are the budgetary implications of them? What is the expense of the procedure of those safeguard systems and under which line would it be?

<sup>58</sup> **Mr. Deputy Chairman:** I think that you are sort of wandering away from things. We are going to go through General Field Region, Whitehorse Field Region, and so forth and so on, and I think even under General, you could come directly to that question, if you wish to at that time. Is there is more General Discussion?

We will go to General, \$612,000.

*On General*

**Mr. Kimmerly:** We are in a specific line now. I identified a question in the preceding question. It is probably not necessary that I go through it again, but under that vote, and in relation to the change in the Estimate this year from the Estimate last year, I would identify some peculiar unexplained differences in the figure. I will not go through them again unless it is necessary to do so, but, briefly, what portion of the reduction is attributable to rent and what is the explanation of the significant over-expenditure last year from the estimate, and why is this year's estimate lower than last year's estimate?

**Hon. Mrs. McCall:** Actually, I did explain that. The primary

change in this activity is due to the cost - \$175,000 - related to the development of the new computer client index system. While these costs are 100 percent recoverable from National Health and Welfare, they have, nonetheless, inflated the expenditure level projected for 1981-82 for this activity. That is the change there. I can give the Honourable Member a breakdown of general costs if he would like that. Would you like me to do that?

**Mr. Kimmerly:** Yes please.

**Hon. Mrs. McCall:** Okay. Personnel costs, first of all, amount to \$486,600. The General costs altogether are \$611,600. \$486,600 includes salaries of the Deputy Minister, Departmental Administrator, Director of Research and Training, Administrative support staff in the Whitehorse office and clerical staff in area offices.

Other costs which come to \$125,000, include travel, telephone and freight, advertising, hospitality services, training and development, which includes travel costs, meals and accommodation, departmental vehicles, repairs to office equipment and office supplies and prescriptions. Those are the total costs for general.

**Mr. Kimmerly:** Under the non-personnel costs, what proportion of the costs are for training of social workers or the personnel who deal directly with the public in any way?

**Hon. Mrs. McCall:** \$28,900.

**Mr. Kimmerly:** Is it possible to give a forecast figure for the actual expense under that category in 1981-82 and to compare the increase or decrease this year over last year?

**Hon. Mrs. McCall:** We would estimate about a 15 percent increase there.

**Mr. Kimmerly:** Is the training of Field Region Social Workers in this line or under the Field Region line? If it is in this line, what is it?

**Hon. Mrs. McCall:** Under General.

**Mr. Kimmerly:** Is the training for the Field Region Social Workers specifically relating to Alcohol and Drug in that figure?

**Hon. Mrs. McCall:** Yes, it is.

**Mr. Kimmerly:** What number of people is it projected will be trained and for what number of training days?

**Hon. Mrs. McCall:** We do not have that kind of breakdown.

**Mr. Kimmerly:** Is the Minister able to give any kind of an estimate? The figure is approximately \$29,000 and it is approximately a 15 percent increase over last year. What proportion of that is for training social workers specifically in a general sense if that is possible? What is the estimate of the number of people who are going to be trained in the next year?

**Hon. Mrs. McCall:** Most of that would be for social workers. This includes sending people out to seminars and all sorts of things. As well, there is on-the-job training which we count in hours.

**Mr. Kimmerly:** What is the current plan for training for the Field Region Social Workers in 1982-83?

**Mr. Deputy Chairman:** I wonder, are you speaking on General or on the Field Region now? You keep bringing Field Region into the General. It is hard for the Chair to determine which area you wish to speak on. Which line item are you on?

**Mr. Kimmerly:** Mr. Chairman, I do not care which line it is. I am interested in the training of Field Region Social Workers and I was advised it was under this line a few moments ago. The available monies is under line 1, in the amount of \$28,900. If that is wrong, I would gladly ask the question under the other line.

**Hon. Mrs. McCall:** I guess the best way to answer the Honourable Member is to say that a lot of it is staff time which would be found under Alcohol and Drug Services. Some of it also comes from the Public Service Commission — some training dollars. We have a series of workshops set up for training which would be on-the-job training and people coming in to Whitehorse and having workshops as well. That is part of it, but part of it is found in the vote. I think the Honourable Member is asking about training for Alcohol and Drug, in particular. Some training dollars are there. It is spread out between staff time and everything else in Alcohol and Drugs.

**Mr. Kimmerly:** What I am particularly interested in is trying to get an idea of what workshops are being planned and what seminars and other staff training are being planned? If it is necessary I will ask the same questions under every line. If the major Budgetary expense is under this line, I would ask the Minister if she could explain the

number of workshops, the number of anticipated participants in a general way, and to try and give an estimate as to whether the particular amount of money is going to be adequate to sufficiently train the social workers. I would advise the Minister that my next line of questioning on the same topic is going to be about the turnover in staff and the policy relating to the training of staff and turnover of staff, especially in this area, and the Budgetary expense of that and where we can find it in the Budget?

**Hon. Mrs. McCall:** We have a training officer who is co-ordinating the planning of seminars and workshops. We have a staff development committee and the ideas for the seminars and workshops come from that committee. It is not dictated from on high what they should be doing. The training officer is doing the co-ordinating. It is a good way to do this and it is working very well. We are quite well off for training funds. We are not short on training funds. We have a lot of scope. This is an ongoing thing. We are still developing it so I cannot say exactly what is set up at the moment.

*General in the amount of \$612,000 agreed to*

**Mr. Chairman:** Due to the time, Committee shall recess until 7:30 p.m.

# *Recess*

**Mr. Deputy Chairman:** I will call Committee of the Whole to order.

We will carry on with Page 72, Field Region, \$799,000.

**Hon. Mrs. McCall:** I think that we have gone over and over this. I will just emphasize again that the changes in this area are due to the transfer of the Alcohol and Drug Services professional staff, six person-years from the program of Alcohol and Drug Services into the Field Region. This is solely a reallocation of person-years to reflect the organizational structure of the department. These particular staff will continue to hold responsibility for Alcohol and Drug programming and delivery. The Budget there is \$798,800. Would the Honourable Member like me to break those costs down a little?

Personnel costs includes salaries of Regional Managers, social workers in area offices and one highway worker based in Whitehorse and alcohol and drug workers. That is \$681,000. Other costs involve travel, freight and telephone, contract workers in Mayo, Ross River, Old Crow and Carcross, equipment repairs, rental of photocopiers, office supplies. All that comes to \$117,800.

**Mr. Kimmerly:** There is a doubling of this line item in the Budget and an explanation that "six person-years are added". What is the budgetary figure of those six person-years being added? What amount of dollars, if you will, does that account for?

Debate and questioning has already occurred about the possibility of contracting out some social services and there is an indication that the department is actively looking at that. It is obviously relevant in the Field Region section. Is the approximately \$800,000 to be voted adequate if, at some point in 1982-83, there is a decision to contract out some of these services to organizations such as a society or Indian Band?

**Hon. Mrs. McCall:** I suppose we have to guess at exactly the figures the Honourable Member is after with those particular salaries. I think I would say about \$180,000. As for contracting out, we would have to find funds within the Budget for that sort of thing. I am not quite sure what the Member is getting at there.

**Mr. Kimmerly:** If the figure for the six additional person-years is approximately \$180,000, I would ask the Minister to explain the remaining figure. I believe there is a \$400,000 increase which would leave a \$220,000 increase which is not explained.

**Hon. Mrs. McCall:** I am still not quite sure what the Honourable Member is getting at. A portion of these other costs are added to the sum total of those transfer man-years. A portion of the travel and so on is added to the \$180,000.

**Mr. Kimmerly:** Of the amount for travel, \$117,000 is travel to educational conferences included in that figure, or would that kind of travel be an entirely separate item?

**Hon. Mrs. McCall:** That figure is not \$117,000. The travel part of that is \$20,300, and that would be travel on the job. That would not be travel to conferences.

**Mr. Kimmerly:** In the community of Carmacks, I understand that the services are delivered by a person who is stationed in Whitehorse. The situation in Teslin is different in that there is a person actually stationed in Teslin. Is the Minister looking at either bringing the person from Teslin in, or putting the person for Carmacks out in Carmacks in the Budget year?

**Hon. Mrs. McCall:** No. We are continuing in the way that it is. It has been quite successful.

**Mr. Kimmerly:** In the community of Ross River, the services are delivered by the resident of Faro, I believe. Is there any planned change from that situation?

**Hon. Mrs. McCall:** No.

**Mr. Kimmerly:** In the community of Old Crow, the services are delivered now, I believe, from Dawson. Is there any planned change from that situation?

**Hon. Mrs. McCall:** We have a contract worker in Old Crow.

**Mr. Kimmerly:** Is there any plan for a similar contract person in Ross River or, indeed, any other community?

**Hon. Mrs. McCall:** We have a community alcohol worker in Ross River. Each of the communities has been carefully assessed within our Budget. We added many workers in the communities, as the Honourable Member knows, before Christmas. At the moment, there is no use going over each community and asking "Are we going to do this, are we going to do that?" The communities are adequately served at the present time and, since Christmas, we have added more.

**Mr. Kimmerly:** I am asking this question for the purpose of putting it on the record. There are people who do not know the answers to these questions and they will be very interested. It is then the plan that there will be no further workers added in any community in the fiscal year 1982-83?

**Hon. Mrs. McCall:** For the record, also, we have community grants that we did not have before Christmas. We have added people in the communities and the communities have never been so well served. Once we have finished some of our training programs the communities will be very adequately served. I think we will see some results from that.

**Mr. Kimmerly:** I thank the Minister for her statement about the quality of the service. Are there going to be any other people added in 1982-83? The Minister did not answer that question.

**Hon. Mrs. McCall:** No. There will be no others, other than the ones who are in place now.

**Mr. Kimmerly:** In addition to the person-years, aside from the alcohol workers, are there any plans for contract employees in the Field Region area in the Budget year?

**Hon. Mrs. McCall:** No.

*Field Region in the amount of \$799,000 agreed to*

#### *On Whitehorse Region*

**Mr. Deputy Chairman:** We will now go to Whitehorse Region in the amount of \$438,000. Any discussion?

**Mr. Kimmerly:** There is a general increase of 31 percent. There obviously is a plan to increase services in the Whitehorse Region. What services are going to be increased?

**Hon. Mrs. McCall:** The change there, which I did give before dinner — I think that that is not working and we had better wait until we get to each activity to explain the change — is due to the establishment of two new person-years: a social worker and a social assistance auditor employment opportunities coordinator.

*Whitehorse Region in the amount of \$438,000 agreed to*

#### *On Child Welfare*

**Mr. Deputy Chairman:** We will go on to Child Welfare in the amount of \$320,000. Any discussion?

**Mr. Kimmerly:** In the accompanying information on Page 73, in looking back over the statistics of previous years, the estimate is for a fairly substantial increase for children in care in terms of numbers. There is an increase in the number of children expected to be in care. Is it the projection of the department that that trend is going to be continued in 1982-83?

**Hon. Mrs. McCall:** There has been a trend up, but we feel that it is leveling out. We do not see any indications of it continuing up.

**Mr. Kimmerly:** As the number of children has increased and the trend is likely to continue, I am told, with the decrease projected and given the inflation rate, can the Minister advise us of what the savings are projected in the next year?

**Hon. Mrs. McCall:** I think the Honourable Member misunderstood me. I said it was leveling off in our opinion and I think the Honourable Member said it seemed to be continuing. No, we feel that it is not going to continue, necessarily. We have had an increase in teenagers in care, and we see no reason for that to continue to go up.

**Mr. Kimmerly:** Just to be absolutely clear for the record, is it the explanation of the Minister, for the decrease in estimate that the projection is, that the number of children in care is going to level off?

**Hon. Mrs. McCall:** The decrease is then due to perhaps a vacancy in staff and staff travel cutback. There is a very small difference there.

**Mr. Kimmerly:** Where is the planned vacancy in staff, and what position is not going to be filled for some time?

**Hon. Mrs. McCall:** It is not a vacancy; it is unexpended salary dollars if there is a vacancy.

*Child Welfare in the amount of \$320,000 agreed to*

#### *On Yukon Family Planning*

**Mr. Deputy Chairman:** Yukon Family Planning, 35,000.00.

*Yukon Family Planning in the amount of \$35,000 agreed to*  
*Administration — Human Resources in the amount of \$2,204,000 agreed to*

**Mr. Deputy Chairman:** We will now go to Page 74, Child Welfare Services. Any general debate?

**Hon. Mrs. McCall:** Again, I am trying to think of the best way to expedite these things because it seems we are bogging down in questions that really purport to look for anomalies in some way, and there are not any. I think I will leave the changes. I will give you a rundown on this, and if you listen carefully, these really should answer some of these questions, because we seem to be answering things we have already explained.

There is a range of child welfare services provided by the department through the statutory mandate of the *Child Welfare Ordinance*. It is the responsibility of the departmental staff to assess all situations of reported neglect or maltreatment of children or request for assistance with parenting received from individual members of a family. The objective of our Child Protection Services is to provide supports and skills to families in providing adequate care for their children. We attempt to work with the total family toward the safe and satisfying maintenance of the child within the family home. Departmental efforts in the area of prevention and community supports have increased significantly during the past several years. Despite efforts to maintain children's security in their family homes, it is required at times for the best interest and safety of the child, a period of time in alternate care is indicated and so ordered by the Child Welfare Court. When such alternate placement of children must occur, extensive efforts are continued to work with the parents and other family members toward the goal of a satisfactory reunification of the family. In a minority of situations, all offered services and efforts do not lead to the availability within the family home of adequate care, and a child may be placed in the long term care of the department, pending any possible permanent placement in family through adoption. I would like to emphasize here that the trend is to leave children in their home situations wherever possible. The department is not going to snatch children out of their homes wherever they can. That sort of picture has been painted occasionally. I think the department, if anything, has been criticized for leaving children where some people thought it was not the ideal situation. But every home is not ideal, and as long as the department feels that there is love there and there is caring enough, even though there may be drunkenness and some neglect, it is very carefully weighed, and although the word "apprehend" is used, which sounds like "snatch and grab", it is merely protective custody.

There has been an increase of 28 percent in the adoption caseload of the department during the past year. A large percentage of this significant increase reflects the department's involvement in the expanding occurrence of step-parent adoptions.

**Mr. Deputy Chairman:** No more general discussion? Now we

will go to General - \$211,000.

*On General*

**Mr. Kimmerly:** I wonder if the Minister would explain the 85 percent increase over last year?

**Hon. Mrs. McCall:** The 85 percent increase from the 1981-82 forecast is due to the low number of children in care for the first half of the past fiscal year. If the accelerated rate of expenditure, particularly during the last quarter, had been maintained throughout the fiscal year, it would have led to a final cost figure in this category that was very close to the 1981-82 Main Estimates. The past year was also significantly lowered due to the fact that through much of 1981-82 the needs of individual children were such that a very low number were requiring travel for assessment or treatment outside of the Territory. A requirement of such service by a small number of children does significantly affect expenditures.

**Mr. Kimmerly:** I am afraid that I am confused about the explanation. If you look at the 1980-81 actual, it is \$167,000. The 1980-81 forecast a year ago was \$159,000, a figure very close. The 1981-82 estimate was \$158,000. The forecast is lower than the 1981-82 estimate by \$44,000 and the explanation is that there are fewer children in care. Why is the increase of approximately \$100,000 projected? I am afraid that I just do not understand the need for extra money there.

**Hon. Mrs. McCall:** The trend has leveled off. The age group is teenagers and there was an increase in teenagers in care. The travel for children requiring assessment or treatment outside of the Territory is a significant difference. The reason for that is that the group homes are running well and we are attending to the special needs of certain children here in the Territory. This is proving to be very successful.

I am afraid that the Honourable Member is giving us figures that we cannot determine where he is getting them. We do not have them, and we do not have any basis for knowing what he is trying to get at, or what he is comparing it with.

**Mr. Kimmerly:** The only figures that I am quoting are the 1981-82 Main Estimates and the 1982-83 Main Estimates. I realize that we are dealing with 1982-83 Main Estimates, but it is very useful to look at last year's because the 1982-83 Estimates are often very different from the 1981-82 forecast. That is where the figures come from. I am afraid that I still do not understand the need for the \$100,000.

*General in the amount of \$211,000 agreed to*

*On Group Homes*

**Mr. Deputy Chairman:** Group Homes in the amount of \$416,000.

**Hon. Mrs. McCall:** The percentage change in this area is primarily due to the fact that two of our group homes were not in operation for some part of the 1981-82 Budget year. One group home, presently serving adolescents, was not put into operation until the beginning of September, following a vacancy of a number of months, including the first five months of the fiscal year. Villa Madonna was not in operation during the two summer months until new group home parents were hired to provide service following the departure of the Sisters of Providence.

*Group Homes in the amount of \$416,000 agreed to*

*On Foster Homes*

**Mr. Deputy Chairman:** Foster Homes in the amount of \$235,000?.

*Foster Homes in the amount of \$235,000 agreed to*

*On Special and Therapeutic*

**Mr. Deputy Chairman:** Special and Therapeutic in the amount of \$33,000.

**Mr. Kimmerly:** I must say that I am very pleased to see this as an increase of 106 percent over the 1981-82 forecast. However, if you look at the 1981-82 Estimates, the estimated expenditure was \$41,500, and the forecast expenditure is only \$16,000. I would ask for an explanation as to what the situation is there?

**Hon. Mrs. McCall:** I will read the Member the explanation for that. Usage in the special and therapeutic foster home rates were significantly below the amount budgeted during the past fiscal year due to the unavailability of people with skills and interest in providing

for special needs children requiring care and services over and above those in the average foster homes. This significant underexpenditure occurred despite active efforts of recruitment of persons willing to provide such services. It does not reflect the actual needs during the year.

*Special and Therapeutic in the amount of \$33,000 agreed to*

*On Receiving Homes*

**Mr. Deputy Chairman:** Receiving Homes in the amount of \$206,000.

*Receiving Homes in the amount of \$206,000 agreed to*

*Other Resources*

**Mr. Deputy Chairman:** Other Resources in the amount of \$173,000.

**Mr. Kimmerly:** What is the money for? I note that last year the estimate was \$260,000, so there is a saving of \$110,000. I have no information as to what it is for.

**Hon. Mrs. McCall:** This budget area cost significantly less last year than 1980-81. This was due to the very small number of children placed in resources outside the Territory during the past year. It will be our intention to try and maintain the level of placement. The increase reflects anticipated per diem cost increases in outside assessment and treatment resource facilities. I might add here that the two new residential facilities that replaced Wolf Creek have also given us additional resources for counselling and treatment.

**Mr. Kimmerly:** Is the 1981-82 forecast on Page 75 based on Period 9 figures, and is the actual forecast approximately 10 percent greater?

**Hon. Mrs. McCall:** We have the operations and maintenance estimates for 1982-83 here, and I am afraid that this is what we have to go on. We do not find the other figures that the Honourable Member is bringing into the debate to be significant. So many things can change that I think the Honourable Member is mistaking this kind of sleuthing for something that is going to turn up some anomaly and, really, the figures that he is giving us do not bear that much relation to the figures in this budget year.

**Mr. Kimmerly:** The figures that I am referring to are on Page 75 of the Main Estimates for this budget year, and the middle column is the 81-82 forecast. I am asking about the government figures under debate now. Are those figures based on Period 9 statistics, and will the final figure be approximately 10 percent greater?

**Hon. Mrs. McCall:** Basically, they are based on those figures.

**Mr. Kimmerly:** Will the final 1981-82 actuals be approximately 10 percent greater?

**Hon. Mrs. McCall:** The Honourable Member expects us to be seers and visionaries in this way, and really I do not think we can predict 10 percent. No, I cannot do that.

*Other Resources in the amount of \$173,000 agreed to*

*Child Welfare Services in the amount of \$1,274,000 agreed to*

*On Social Assistance*

**Mr. Deputy Chairman:** Page 76, Social Assistance, \$1,973,000.

**Hon. Mrs. McCall:** I will give a preamble to this. I do not know if it is going to help, but I will give it. The Social Assistance program is intended to provide income security to persons in need in order to alleviate poverty, hardship and human suffering. A primary goal of this program is to promote and assist those persons who are dependent upon social assistance wherever possible toward achieving self-sufficiency and a satisfying lifestyle. As all Members of this Legislative Assembly are aware, it is of vital importance to ensure this basic form of income security is available to all our citizens, particularly during times of economic hardship when persons may require this support from Government through no fault of their own. However, it is also essential to ensure this program does not foster unnecessary dependence and detract from the individual's ability to participate as an independent and productive member of society. In order to achieve these goals during 1982-83, the department will be involved in several initiatives. The total budget for Social Assistance expenditures has been increased in order to accommodate projected increases in both

case-load sides and the expenditures involved in the Social Assistance budget such as food, clothing, shelter, et cetera, which continue to increase with inflation.

I should also note that although the number of social assistance cases will continue to increase and the number of persons involved in receiving social assistance increases, the actual average cost per case will continue to decrease as the result of the implementation of improved cost control measures and policy measures.

Further, during 1982-83, I intend to address the additional stresses placed upon the Social Assistance program during these economic hard times by the introduction of several measures in the department's budget. First, there has been a substantial increase in the amount of funds allocated to the Daycare Subsidy Program, as there is a direct correlation between the ability to work and the ability to afford high quality daycare services. The other initiatives include the development of improved services focusing on working with social assistance recipients who are employable and require opportunity counselling in order to seek employment or training such as the Options for Single Parents Program which is currently underway at the Vocational School.

A thorough review of existing policy procedures, particularly as they relate to employable recipients, and even further improved practices in monitoring and controlling the expenditures of funds will occur. The new Yukon Opportunity Program will go into effect as soon as this budget is passed and the position is filled. The express purpose of this program is to help and encourage employable individuals to return to the labour market. This will be done through co-ordinating efforts with Canada Manpower, Department of Education, for retraining and so on. There will be special attention given to counselling and encouragement to build up confidence and preparedness for the workforce. Therefore, contained in the Budget are additional funds and person-power in order to provide income security protection for all our citizens, as well as the serious recognition that programs and services, other than Welfare, are required in order to provide appropriate assistance to employable persons who are unemployed.

**Mr. Deputy Chairman:** This item is just a one line item of Social Assistance so I think I will go into the questions immediately rather than go through it twice.

#### *On Social Assistance*

**Mr. Kimmerly:** It is unfortunate that the Minister chose not to answer the questions that I raised in General Debate. Or, if there is an answer of sorts, the answer can only be that there is a projection that fewer people are going to be on social assistance in 1982-83.

We, on this side, simply do not believe that. The projection that fewer people are going to be on social assistance in these economic times, we think, is unrealistic. I had raised earlier that the percentage increase of people on social assistance has increased in the last four or five years by figures like 25.4 percent and 31.9 percent. The projection that we make is that the number of people who, unfortunately, will be on social assistance is going to increase. The percentage increase next year is going to be larger than the percentage increase last year.

Further, I would raise another question, and this is another issue entirely, if the latest Economic Research and Planning Unit figures are taken as to the cost of food as of December 1981, — and I am reading these figures from Page 28 of the Government's latest ERPU survey — the cost of an average food basket is \$110.03 a week or, if one says there are four weeks in a month, \$440 a month. In fact there are four and a third weeks in a month so it is closer to a little over \$460 a month. The allowance, as of today, for social assistance for a family of four is \$335 a month. There is a substantial difference of approximately 25 percent. In addition to that, to those people on social assistance who are not in public housing, the social assistance plan pays the rent and the rentals are increasing at an alarming rate, especially in the City of Whitehorse.

In addition to that, everyone knows that power bills are increasing in excess of a 30 percent rate, so in the next year social assistance payments to individuals, or to families, must be projected at a rate substantially above the inflation rate. The cost of the increases for necessities and the cost of increasing the social assistance rates, which are now below the poverty level, should be taken into consideration.

This figure is simply unrealistic and I would ask questions about this general issue that I did not raise in any detail in general debate.

The Deputy Minister, during the Public Accounts evidence, gave evidence as to why there was generally a large Supplemental Estimate for social assistance and I am sure the Minister is aware of that evidence. The problem appears to be that there is an instruction from the Department of Finance to bring in an estimate with a determined percentage increase. Did that occur this year? What was the percentage increase this year? If there is a projection that fewer people are going to be on social assistance, on what basis is the projection made? Is it simply wishful thinking because of these other programs, or is there any reliable data, anything of a scientific nature whatsoever, to indicate that the number of recipients is going to decrease?

I would also note that the 1981-82 estimate is \$1,760,000. I get that figure from last year's Budget, the Government's publication. The 1981-82 forecast is \$110,000 more. There is an over-expenditure of last year's estimate, just as there has been in the previous four years. I have not looked beyond that. The evidence is uncontroversial that the process of arriving at an estimate is simply unrelated to the facts in society and the economy.

**13 The process to arrive at an estimate is to follow a guideline established by the Department of Finance and I say to the Minister, in light of the Supplementals in all of the previous five years, in light of the percentage increases over the last five years, in light of the poor economic times now, in light of the inflation rate, in light of the cost of living, how are we to believe that this estimate is accurate? I simply do not believe it. I am sure I will have more to say about it when the Supplementals eventually come in, as I know they will.**

**Hon. Mrs. McCall:** I hope that the Honourable Member's predictions of doom and gloom are not true. We are taking a more optimistic view, obviously. It is possible, if he is right, that a Supplement would have to be brought in on this vote. We will all just have to wait and see, as he has predicted. I must add, however, that our figures have added an increase of 15 percent for fuel, shelter, food and utilities. We thought that we would emphasize other programs this budget year, which we have explained over and over.

We have doubled, and more, the daycare subsidy in order to help people get off social assistance. We have the Income Supplement for Seniors Plan which should also help. We have increased staff to help counsel people and help them find ways to become independent, which we believe is very fundamental to human dignity. I think it is possible that a Supplementary would have to be brought in, but in the meantime, these figures appear to be adequate. With the help of all these other programs, and with daycare increased so that more mothers on social assistance can get out into the workforce and with an income supplement for seniors, we believe that this is going to have an effect. We will all just have to wait and see. I really do not think that there is very much more to be said about this.

**Mrs. McGuire:** I have read the Social Service Manual quite clearly and I did not notice anything pertaining to buying furniture. If a welfare recipient were to purchase furniture with social service funds, through vouchers, where and how would it be classified?

**Hon. Mrs. McCall:** There is a special needs fund for just exactly that sort of thing. They can apply and get furniture that way.

**Mr. Kimmerly:** I do have something more to say about it. On Page 77, there is supplemental information to explain the line item on Page 76. Under average cost per case, I take it that that is a monthly figure. Is that right?

**Hon. Mrs. McCall:** No.

**Mr. Kimmerly:** Is it a yearly figure?

**14 Hon. Mrs. McCall:** That figure is down because of improved administrative procedures.

**Mr. Kimmerly:** What improved administrative procedures?

**Hon. Mrs. McCall:** The new computer system that has been brought in, more careful screening of applicants and tightened up administrative procedures — a new manual, of course.

**Mr. Kimmerly:** I was interested in the breakdown of the average cost per case and the figures I am quoting now are in the last published Annual Report, 1981-82, on the middle page. The Social Assistance expenditures are broken down by category. The largest per case cost, of course, is for families and the smallest per case cost is for transients.



The average per case cost for transients is \$42. Is the estimate of average cost per case decreasing because of a projection of increased transients?

**Hon. Mrs. McCall:** No.

**Mr. Kimmerly:** Are there estimates available for 1981-82 and 1982-83 in the various categories as they appear in the Annual Report?

**Hon. Mrs. McCall:** I believe that we can supply the Honourable Member with those figures. We do not have them with us though.

**Mr. Kimmerly:** I would be pleased to receive them. I see that in the Supplemental Information that the 1982-83 estimate of cases at year end is 810. The cases at year-end are a reasonably close figure to the average number of cases per month, I suppose. Looking at the 1980-81 actual on Page 77 and the 1981-82 forecast, and the 1982-83 estimate, there appears to be a straight line projection in that it is estimated that the number of cases is going to increase at approximately the same level as it did last year.

**Mr. Kimmerly:** Can the Minister reconcile that with her expectation of fewer cases recently announced?

**Hon. Mrs. McCall:** The number of social assistance recipients predicted to increase is 16 percent to 810 persons at the end of the year. That is the prediction.

**Mr. Kimmerly:** If the number of recipients is predicted to increase at 16 percent and if the costs to the social assistance plans of the various items such as rent and food are predicted to increase at 15 percent, as recently announced by the Minister, how can the total increase be only 6 percent?

**Hon. Mrs. McCall:** There is not an exact direct relationship between those figures; these are only predictions. We hope that they are going to be as close as possible but we cannot guarantee that.

**Mr. Kimmerly:** I would ask again the question to which I did not receive an answer. Is there any scientific basis or any data to give credence to the projections of the Minister that the number of recipients is going to be as stated or is it simply guesswork? If it is guesswork, is it the same kind of guesswork as was done in the last five years?

**Hon. Mrs. McCall:** There is one other factor that the Honourable Member might take into consideration as he is trying to figure these things out. Family increases are quite different from increases for transients. Those figures are all together and that does make an anomaly. There is not a direct relationship like that. I could give the Honourable Member some of the categories that are included, such as food, meals and accommodation, shelter, boarding and special needs, fuel and utilities and clothing. There is a 15 percent increase in those things. Then there are incidentals such as medical, drugs, medical, other, dental, optical, some travel, special clothing, housekeeping, rehabilitation, installment backbills, daycare, private daycare. Those levels have pretty well been maintained.

**Mr. Kimmerly:** There is an indication by the Minister to supply a breakdown of the social assistance categories and I would anticipate further questions after that information is available. Perhaps this particular item could stand over and be dealt with at the end of the other pages?

**Hon. Mrs. McCall:** I think that I have given the Honourable Member all the information that I can give him. We did offer to get a breakdown of the numbers and categories which we will bring back to the Honourable Member. I do not think that we should hold up the whole Budget unnecessarily for that.

**Mr. Kimmerly:** It will not hold up anything. It will simply postpone this particular line.

**Mr. Deputy Chairman:** I think that the Member will have to have the vote of the whole House as to whether or not we hold it over. I do not know that other Members will be agreeable to that. Do Members wish to hold this item over?

**Hon. Mr. Lang:** I have been listening to the cross-examination that has been going on and it is very interesting. I have not been exposed to a courtroom that often. It would seem to me, in respect to the questions that are being asked, that it is strictly technical numbers that the Member wants. I recognize that the Opposition thrives on the various numbers that are put out by various government agencies. It would seem to me — and perhaps it would seem to be a very flat and bald statement — but, in respect to the Opposition, and the comments that they have made to date on the various votes that we have gone

through, as I indicated on vote three, it seemed to me that we would have to have a sales tax of about 5 percent if they were on this side of the House.

Now we have social assistance and various other aspects of the Budget; it seems to me that he should not be that pessimistic. All I can say about the future is that the Budget has been designed in the area that the Minister has indicated to try to do everything possible to encourage people to get off welfare. If the plans that have been submitted by the Department to the Minister are successful, then obviously the case-load is going to be less.

With the proposition being put forward by the Member opposite, it would appear to me that if he had his wish, our population would probably double in the next two or three years to 50,000. We would have one welfare worker for every woman, man and child.

We have budgeted under a formula for the allocation of dollars, as indicated by the Minister, by general policy. It is very clear what is being made available, at least to this side of the House. No one is going to go, if we can help it, without three squares a day. I think it is quite obvious. We are here to assist, but also at the same time, as the Minister has said — and I have heard here at least five or six times, and perhaps we should get a coloring book to go along with the explanations so that everybody across the way understands — we are trying to ensure that people who are on social assistance have every method and means of getting off social assistance. We do not think that it is good for the taxpayer; we do not think that it is good for them.

Perhaps the Honourable Member would argue with that philosophy and would want to go into greater detail in respect to the numbers. One could say that we have five over here and ten over there, but I do not think that that is going to contribute to the debate. From my point of view, if it is a question of that type of detailed information, I think we could clear this particular establishment and go on to another one, rather than wait for another detailed cross-examination by the Member opposite, which I think a lot of Members are getting a little bored with.

**Mr. Deputy Chairman:** Do we have unanimous consent for permission to hold this over?

**Some Members:** Disagree.

**Mr. Deputy Chairman:** The disagrees have it.

**Hon. Mr. Pearson:** I want to assure the Honourable Member that the Minister has undertaken to get some information for him. In speaking with the Deputy Minister, I have been told that it is going to entail a fair amount of clerical work. It is going to take some time to get this information together. The undertaking to get the information is well recorded and he will receive it.

*Social Assistance in the amount of \$1,973,000 agreed to*

**Mr. Deputy Chairman:** I believe we will have a brief recess at this time.

*Recess*

**Mr. Deputy Chairman:** I will call Committee of the Whole to order.

Please turn to Page 78, Rehabilitation Services. General discussion.  
*On Rehabilitation Services*

**Hon. Mrs. McCall:** The Vocational Rehabilitation Services Program provides variety of services including assessment, training, employment placement, follow-up prosthetic and restorative services to adults who require these services in order to pursue a substantial and gainful occupation. The Budget presentation for 1982-83 has been redesigned from previous years in order to better integrate overlapping expenditure areas, eliminate unnecessary duplication and provide greater flexibility in how funds are allocated and expended. As the Members will note, the training and training on the job budget items have been integrated and prosthetic and restorative services have been integrated.

This assessment area of the budget has been increased in order to reflect the implementation of new practices during the year in order to thoroughly assess and carefully develop mutually agreed upon the plans prior to the admission to the training or placement aspects of the program. This also reflects an increasing emphasis on the need to provide locational rehabilitation programs to disabled persons who

live in communities outside of Whitehorse where expenditures resulting in travel and the provision of specialized services will be incurred.

The training and training on the job areas have been integrated. During 1981-82, a joint program has been initiated between the Public Service Commission and Vocational Rehabilitation Services. This program has provided training for disabled persons in the public service with training allowances being paid by the Commission on a sliding scale and required income supplementation provided by Vocational Rehabilitation Services.

Also during 1981-82, a thorough review of all existing vocational rehabilitation cases was completed so that, at present, an evaluation of existing residential and non-residential training programs is about to be conducted with a view towards maximizing use of available in-Yukon resources and achieving better control over utilization of planning regarding training facilities outside of Yukon. As Members are aware, during 1981-82 funds were provided to the Yukon Rehabilitation Centre in order to develop its facility and program. As well, a new therapeutic group home for disabled adults was established.

The Prosthetic and Restorative Services budget items have been integrated in order to eliminate unnecessary duplication as well as the total amount increased by 33 percent in order to reflect increasing costs and demands for these services.

During 1981-82, a major review of all the cases in vocational rehabilitation services was undertaken by staff, resulting in a large number of cases being closed as a result of being inactive for long periods of time. During this review, case plans were reviewed and updated for all current clients and new procedures for regularly monitoring the activity of cases was established.

**Mrs. McGuire:** What would your estimate be on the percentage of cases that arrive from outer communities?

**Hon. Mrs. McCall:** We are guessing, of course, but we would say about 30 or 40 percent, probably.

#### *On Administration*

**Mr. Deputy Chairman:** Administration, \$106,000.

**Mr. Kimmerly:** I did not enter the debate on general discussion, however, I am going to ask a question on each of the lines as that is more fruitful. The Administration estimate for 1981-82 was \$143,000. The 1981-82 forecast is \$96,000 — a substantial difference. The Minister has explained that certain things are integrated, but she did not say how they were integrated. Obviously there is a reorganization — I can tell by the numbers — but I am not told how. Why is the 1981-82 forecast 30 percent lower than the 1981-82 estimate to the tune of \$46,000? What are the implications of the integration in the Administration line?

**Hon. Mrs. McCall:** I am afraid we are going to have to deal with what is in the book before us. The Honourable Member does not realize that too many things can happen. There are too many variables and too many other factors than the figures he is talking about and comparing. I think the Minister of Finance can explain it better to the Honourable Member. For the present, I will confine myself to this book and do the best we can with our explanations for him. I can give the Honourable Member a breakdown of the Administration costs, if he would like. First of all, under Rehabilitation, the Administration costs total \$106,500, Personnel costs, salary of Co-ordinator, Counsellor and Clerk typist total \$90,800, and other costs total \$15,700. They included travel — including client escort — telephone, department publications, equipment repair and office supplies.

**Mr. Kimmerly:** I can deal with the Minister in that way although it will take a little longer. The \$106,000 is explained primarily by salaries. Is there any figure for on-the-job training or any extra training for those salaried people in this line?

**Hon. Mrs. McCall:** I thought that we were taking it line by line. Those costs for Administration were \$106,000. Training on the job and training, which are further down — and I would be pleased to give the Honourable Member a breakdown of that — is separate from Administration.

**Mr. Kimmerly:** I am speaking of on-the-job training for the staff which is an entirely different item I believe. Is there any money budgeted for staff development under Administration in this program?

**Hon. Mrs. McCall:** Under Administration, at the beginning of the departmental vote, there was some training money that would

include this sort of staff.

**Mr. Kimmerly:** How much?

**Hon. Mrs. McCall:** I think that the figure was \$29,500.

**Mr. Kimmerly:** What is the amount of training dollars out of that \$29,500 allocated to this department? Is it allocated in any way as of now?

**Hon. Mrs. McCall:** No. It is not broken down like that. It is training dollars available in the department for any branch of the department. I might add that this department probably has more training dollars than almost any other department.

*Administration in the amount of \$106,000 agreed to*

#### *Training on the Job*

**Mr. Deputy Chairman:** Training On The Job, \$837,000.

**Mr. Kimmerly:** I would ask for an explanation. I know that the Minister is not interested in last year, but last year the estimate was \$30,000. There is a substantial increase even though the percentage change in the book is extremely misleading. The percentage is approximately 2,700 percent and I would ask for an explanation.

**Hon. Mrs. McCall:** The Training On The Job item and Training were consolidated. If the Honourable Member would look at the figures for Training on the job, \$837,000 and then look down, this has been passed over. Those two are together. The two areas combined are not quite as much. They are down just a little. The joint project with the Public Service Commission to train disabled persons with training allowances provided by the Public Service Commission and supplemented by vocational rehabilitation makes up that. Complete evaluation of all training programs and client placement is being done with an emphasis on maximizing the use of resources in the Yukon.

I can give the Honourable Member a breakdown if he would like to have it.

**Mr. Kimmerly:** I would like all the breakdown the Minister has.

**Hon. Mrs. McCall:** The total is \$837,400 for Training On The Job. Personnel salaries to allow clients to receive on-the-job training within the Territorial Public Service are \$32,500. The remaining \$687,800 is made up of client travel and moving expenses, adult occupational training, placement costs and a grant to the Rehabilitation Centre, contract services for teaching specialized skills, clothing and specialized equipment and transfer payments in addition of \$117,100, which are subsistence payments to clients while in training in Yukon or at other institutions.

**Mr. Kimmerly:** Are the transfer payments based on the same formulas as the social assistance payments or is there a different formula?

**Hon. Mrs. McCall:** No, they are based on individual needs.

**Mr. Kimmerly:** The 1981-82 forecast in both of the Training and Training On The Job lines is \$843,000. The 1982-83 estimate is \$837,000 — a decrease of \$6,000. Given the inflation rate, that is a very substantial decrease. Why is the Minister projecting a decrease?

**Hon. Mrs. McCall:** I am putting the two programs together. That was the amount and there was no reason for the decrease. It was just when the two areas were combined there was a decrease of \$6,000.

**Mr. Kimmerly:** The Minister has answered my question: "What is the reason for the decrease?" with a phrase, "there is no reason for the decrease." I find that unacceptable, and ask that question again.

**Hon. Mrs. McCall:** I did explain that there is not a reason that we decreased it. I said a complete evaluation of all training programs and client placement, with an emphasis on maximizing use of resources in Yukon is the only reason for it.

**Mr. Penikett:** I apologize for getting in late. I am fascinated by the Minister's answer. I understood there must have been some policy assumption by which the decision she has just stated was made. Could she elaborate a little more so I could understand that better?

**Hon. Mrs. McCall:** The Honourable Members know that there is a general tightening up of everything in the Government, a better use made of talents and training facilities in the Yukon sending people out less. It is simply an estimated saving and probably a minimal saving that we expect will place for the tightening up that we are doing altogether.

**Mr. Penikett:** I thought in a long exchange that the Minister and I had yesterday she had agreed that such a saving would, in a period of



low employment, be a false economy. Surely, from the point of view of planning economic stimulus and preparation for some kind of economic renewal, that kind of restraint is not economically advisable nor is it socially purposeful.

**Hon. Mrs. McCall:** I think we are talking at cross purposes here. We feel that putting more emphasis on local services is a very good thing and contributes to the economy of the Yukon, rather than sending people out more.

**Mr. Penikett:** I am not disputing the value of local services, though the Minister seemed to be indicating earlier some policy statement in terms of restraint in the training aspect and that is what concerned me. It seemed to me unwise in view of the Minister's comments yesterday in which she seemed to indicate the contrary.

**Hon. Mrs. McCall:** I do not mean that we are cutting down on the training in some way. We are just making better use of training dollars and maybe looking for better ways to use them within the Yukon. We could say that a year ago, or two years ago, we might be inclined to send people out more and we want to keep them here now. This does not mean that they are going to have less quality in the training.

**Mr. Penikett:** Just so that my mind can be put at ease on this point, would the Minister give me an example of the better kind of training in the local environment that she was just talking about?

**Hon. Mrs. McCall:** I think probably some of the plans that the Public Service Commission has been putting into effect has been one example. For another example: increased hiring of people who have disabilities and training them on the job.

**Mr. Penikett:** The areas where those hirings have been taking place have been in the janitorial services, and where else? Could the Minister give an example where those people have been picked up?

**Hon. Mrs. McCall:** Actually there have been people hired throughout the Government, not just as custodial workers either — anywhere that there are jobs. There are some clerical, one, at least, at the Queen's Printer, and anywhere that there are jobs where someone who is disabled can do.

**Mr. Kimmerly:** The Minister made statements about increased expenditure in the Yukon and a saving because people were kept in the Yukon. Is there an estimate of the amount of that money that is projected to be spent in the Yukon? If it cannot be done on a monetary basis, perhaps it could be done on a person basis?

**Hon. Mrs. McCall:** It is something that we are aiming at. We would really like to see as many of these dollars as possible kept in the Yukon. I think the fact that we have the therapeutic group home here now shows that we are moving in that direction, generally speaking.

**Mr. Kimmerly:** Is there any estimate of either the amount of money — in rough figures, to the \$10,000, or so — which is spent in Yukon and spent outside the Yukon?

**Hon. Mrs. McCall:** No. We have not done that sort of study yet. I expect that it is something that might be done at some time in the future. We just opened the therapeutic group home in the last year. It is the way that we are going. It is the natural way, as far as this Government is concerned.

*Training On The Job in the amount of \$837,000 agreed to*

#### *On Assessments*

**Mr. Deputy Chairman:** Assessments, \$31,000.

**Mr. Kimmerly:** The figure in the book that the Minister does not have is \$49,500. The explanation of that is that the 1981-82 estimate was approximately \$50,000. In fact, \$3,000 was spent, and approximately \$30,000 is projected for next year. I would emphasize that the Minister does not need last year's book. The figure estimated last year was approximately \$50,000. Why was the \$50,000 not spent, and why, if last year the estimate was \$50,000, is this year the estimate only \$30,000?

**Hon. Mrs. McCall:** There is a very good reason for that. I think some of the Honourable Members opposite have been saying for a long time that the first year or so I was in office that I was forever saying I was reorganizing and restructuring. In fact we were. As a result of a total reorganization and careful dissection of Vocational, which had not been looked at for a few years, we closed 470 cases. That is the reason for a substantial difference in the money.

**Mr. Kimmerly:** I understand that approximately 500 cases were

closed. Why does that change Assessment? On first glance it would appear that old cases being closed would not affect Assessment. Perhaps the Minister would explain that?

**Hon. Mrs. McCall:** I am afraid the Honourable Member is under a misapprehension. We were working with a projection of that many more cases, so it affects it quite a lot.

**Mr. Penikett:** Can the Minister tell me if this is the activity where any charges would have gone for assessing something like the programs of the Rehabilitation Society?

**Hon. Mrs. McCall:** No. It is individuals' costs.

**Mr. Penikett:** Where would that expenditure show up in the Budget? Presumably some kinds of programs like that have been funded in this rehabilitation area by the Government, which will have some kind of Government oversight, but also you would presumably want some kind of independent assessment or audit from time to time of the cost-effectiveness of the program. Who would do that, and where would it show up in the Budget?

**Hon. Mrs. McCall:** That would be staff time, probably, and funds would be found in Professional Services in Administration.

**Mr. Kimmerly:** If only \$3,000 was spent last year, why does the Minister need 10 times that in the next year?

**Hon. Mrs. McCall:** The Assessment area of the Budget increased substantially in order to reflect greater emphasis on the assessment procedures prior to training, and higher costs related to providing greater assessment services in outlying communities.

*Assessment in the amount of \$31,000 agreed to*

**Mr. Graham:** I move that you report progress on Bill No. 5 and beg leave to sit again.

**Mr. Deputy Chairman:** It has been moved by Mr. Graham that the Deputy Chairman report progress on Bill No. 5 and beg leave to sit again.

*Agreed*

**Mr. Graham:** I move that Mr. Speaker do now resume the Chair.

**Mr. Deputy Chairman:** It has been moved by Mr. Graham that Mr. Speaker do now resume the Chair.

*Agreed*

*Mr. Speaker resumes the Chair*

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

May we have a report from the Chairman of Committees?

**Mr. Fleming:** The Committee of the Whole has considered Bill No. 5, *Second Appropriation Act, 1982-83* and directed me to report progress on same 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:** Leave is so granted. May I have your further pleasure?

**Mr. Graham:** 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 do now adjourn.

*Motion agreed to*

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

*The House adjourned at 9:25 p.m.*

**The following Filed Document was tabled April 7, 1982:**

No. 1

Toward a Future for Yukon Wildlife

