



# The Yukon Legislative Assembly

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Number 3

3rd Session

25th Legislature

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## **HANSARD**

Thursday, March 24, 1983 — 1:30 p.m.

Speaker: The Honourable Donald Taylor

# Yukon Legislative Assembly

SPEAKER — Honourable Donald Taylor, MLA, Watson Lake

DEPUTY SPEAKER — Andy Phillipsen, MLA, Whitehorse Porter Creek West

## CABINET MINISTERS

NAME	CONSTITUENCY	PORTFOLIO
Hon. Chris Pearson	Whitehorse Riverdale North	Government Leader — responsible for Executive Council Office, Finance, Public Service Commission, and Economic Development and Intergovernmental Relations.
Hon. Dan Lang	Whitehorse Porter Creek East	Minister responsible for Municipal and Community Affairs, Highways, Yukon Housing Corporation, and Yukon Liquor Corporation.
Hon. Howard Tracey	Tatchun	Minister responsible for Health and Human Resources, Renewable Resources, and Government Services
Hon. Clarke Ashley	Klondike	Minister responsible for Justice, Consumer and Corporate Affairs, and Workers' Compensation.
Hon. Bea Firth	Whitehorse Riverdale South	Minister responsible for Education and Tourism/Heritage and Cultural Resources

## GOVERNMENT MEMBERS

### (Progressive Conservative)

Bill Brewster	Kluane
Al Falle	Hootalinqua
Kathie Nukon	Old Crow
Andy Phillipsen	Whitehorse Porter Creek West

## OPPOSITION MEMBERS

### (New Democratic Party)

Tony Penikett	Whitehorse West Leader of the Official Opposition
Maurice Byblow	Faro
Margaret Joe	Whitehorse North Centre
Roger Kimmerly	Whitehorse South Centre
Piers McDonald	Mayo
Dave Porter	Campbell

### (Independent)

Don Taylor	Watson Lake
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Clerk of the Assembly  
Clerk Assistant (Legislative)  
Clerk Assistant (Administrative)  
Sergeant-at-Arms  
Deputy Sergeant-at-Arms  
Hansard Administrator

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

01 **Whitehorse, Yukon**  
**March 24, 1983 — 1:30 p.m.**

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

*Prayers*

#### DAILY ROUTINE

**Mr. Speaker:** Are there any returns or documents for tabling?

#### TABLING OF RETURNS OR DOCUMENTS

**Hon. Mr. Tracey:** I have the answers to various questions from the last session of the Legislature for tabling.

**Hon. Mr. Pearson:** It gives me great pleasure to table today, for the information of all members of the House, the information package that we have put together in respect to our contention that Yukoners deserve a fair deal.

**Mr. Speaker:** Are there any further documents for tabling?  
 Are there any reports of committees?

#### REPORTS OF COMMITTEES

**Mr. Brewster:** I would like to table the first report of the Standing Committee on Statutory Instruments, Third Session, 25th Legislature.

**Hon. Mr. Lang:** I have for tabling the first report of the Standing Committee on Rules, Elections and Privileges.

**Mr. Speaker:** Are there any petitions?  
 Reading or receiving of petitions?  
 Introduction of bills?  
 Are there any notices of motion for the production of papers?  
 Notices of motion?  
 Are there any statements by ministers?

#### 02 MINISTERIAL STATEMENTS

**Hon. Mrs. Firth:** Over the last two years, the Yukon Vocational and Technical Training Centre has, in response to community needs, widened its training mandate and no longer acts solely as the centre for Whitehorse based vocational training programs. It, in fact, serves as the coordinating centre for all post secondary programs in the territory, be they academic or vocational, urban or rural.

To better portray the community college function that the Yukon Vocational and Technical Training Centre is in actuality performing, as of this date we will be changing the name and redesignating the centre as "Yukon College". All post secondary education in Yukon, including those academic programs which, until now, have been offered at the site known as Yukon Campus, and all vocationally oriented programs, as well as the community extension program, will now be under the auspices of Yukon College.

In keeping with the designation of the Yukon Vocational and Technical Training Centre as a Yukon college, the principal will assume the title of director and the two vice-principals the title of assistant directors.

In response to the expressed needs of Yukoners, courses offered by the college will be expanded and diversified in order, where possible, to meet those needs. Whenever specific requirements arise from new economic initiatives, such as in the fields of agriculture, technology or industrial expansion, every effort will be made to provide those courses required to meet the training needs resulting from such initiatives.

As a reflection of this government's concern that the people of Yukon be involved in educational decisions affecting both themselves and their children, I will be investigating the establishment

of a post secondary advisory council. The mandate of this body, which will be composed of appointed representatives from all sectors of the Yukon community, will be to advise myself and the senior officials of the department on programs to be offered and the educational directions to be taken by Yukon College.

Thank you, Mr. Speaker.

03 **Mr. Byblow:** In response to the Minister's statement, I want to say that we support the principle of coordinating post secondary education in the Territory. That has been, and is, the policy of our party and I am glad to see the government doing this. It would appear then, from what the Minister has said, that this government no longer supports the concept of Yukon College as presented in various studies budgeted by the previous governments towards a separate facility in the Takhini area. I recall that one of the studies, entitled "Towards a Yukon College", concluded that there were many good educational programs provided to the people of the Territory but that many government agencies and departments were involved, as well as private organizations. There was a tremendous need to coordinate, and that certainly all the needs of the people of Yukon were not being met, so I am certainly encouraged to see this step towards coordination taking place.

In making this announcement, I had hoped that the minister would have paved a better opportunity for some general debate and input; not only into post secondary education policy but education policy in total. Given the increasing emphasis on vocational trades and training as well as the technological and industrial needs that the minister has identified, I believe its more important than ever to re-examine our current meandering educational goals and streamline our system. We need a new Education Act to replace the *Schools Ordinance* and I would like the minister to consider promoting input and debate on policy and direction regarding education for the future. I am sure the Minister will consider this. We certainly agree with and support the concept that she has introduced today.

04 **Hon. Mrs. Firth:** I just want to caution the member for Faro that he is picking up a bad habit of a colleague of his in making assumptions. Because the government has announced this initiative, it does not necessarily mean that we do not support the concept of a Yukon college being a separate facility. However, I am sure the member would agree that, in our financial position, Yukon is certainly not in any position to entertain that presently.

As we discuss advanced education and education in the budget debates, I will be able to indicate to the member for Faro that this government has given extremely high priority to advanced education, and that will be reflected in our increased numbers of apprentices who do graduate from our college.

**Mr. Speaker:** Are there any further statements by ministers?  
 This then brings us to the question period.

#### QUESTION PERIOD

##### Question re: Partisan advertising

**Mr. Penikett:** I have a question for the government leader. What justifications can he give for the spending of taxpayers' money to promote the recent Conservative opposition to Indian land claims when that opposition is contrary to the stated views of this House and the election promises of his own party?

**Hon. Mr. Pearson:** There is no opposition, either Conservative or anything else, from this government to the Indian land claims; none whatever.

**Mr. Penikett:** Ordinary members of this House are prohibited any partisan comment or content in their constituency newsletters, which are published at public expense. What guidelines, if any, govern executive decisions to spend public money on partisan propaganda?

**Hon. Mr. Pearson:** I deny categorically that it is partisan in any way, shape or form. It is up to the member, if he so wishes, to challenge that denial.

**Mr. Penikett:** The government leader has not responded to my factual assertion that, in fact, the positions presented in the advertisements were contrary to the positions stated by his party and this legislature. What guidelines, what limits, has the government leader imposed on himself with regard to the expenditure of public

funds on advertising which, in our view and many members of the public's view, is partisan, political advertising?

**Hon. Mr. Pearson:** Once again, I have not done any partisan, political advertising.

<sup>05</sup>

**Question re: Partisan advertising**

**Mr. Byblow:** On the subject of the advocacy advertising campaign that is being conducted, in that it is an action to justify its withdrawal from the land claims negotiating table, I would like to ask the government leader who exactly authorized the advertising campaign?

**Hon. Mr. Pearson:** The advertising campaign is being done by this government; surely that must be clear to every member opposite.

**Mr. Byblow:** Well, I would like to then ask the government leader if the content of each of the inserts and the full page ad questionnaire was approved by the Cabinet or just by the government leader, or was the Yukon government's land claims negotiator, the infamous \$800-a-day man, the sole author?

**Hon. Mr. Pearson:** There is absolutely no way that I can attribute sole authorship to anyone at all. The advertising has been conducted by the Government of Yukon.

**Mr. Byblow:** I would still like to ask the government leader who, exactly, did the actual writing of the content of those ads?

**Hon. Mr. Pearson:** I do not know how many times I have to tell the hon. member; a number of people. He seems to be wanting to hang it on somebody's head: if he has to, if he must, it is going to have to be on mine, because I am responsible, and I am quite prepared to stand here and be counted for that responsibility.

**Question re: Partisan advertising**

**Mr. Kimmerly:** On the same subject: considering that the federal Conservatives and the Yukon's MP have joined the federal New Democrats in condemning, as a corrupt practice, the Trudeau Liberals' advocacy advertising, how does the government leader justify the use of Yukoners' tax dollars to promote these land claims policies?

**Hon. Mr. Pearson:** That is proof positive that this has not been partisan advertising. We are not advertising anything. All we are doing is telling the public of Yukon exactly what this government's position is in respect to a specific item, that is all.

**Mr. Kimmerly:** Since the Yukon Conservatives are in dispute with the federal Liberals on this issue, what is the real purpose of these ads, other than promoting a Tory position on the issue?

**Hon. Mr. Pearson:** No, the Yukon Conservatives are not in dispute with the federal Liberals; rather, the Yukon government is in dispute with the federal government.

**Mr. Kimmerly:** In a more general way, are there now further plans for further advocacy advertising, and does the government support or reject the principle of advocacy advertising?

**Hon. Mr. Pearson:** I am quite confident that during the length of our long tenure as government on this side of the House, we will find it desirable to advertise a number of times, particularly to disseminate information to the public, who have a right to know.

<sup>06</sup>

**Question re: Partisan advertising**

**Mr. Porter:** My question, as well, is to the government leader, concerning the full page land claims questionnaire ads. What was the total cost of preparing and publishing the ads and then processing the returns?

**Mr. Speaker:** Perhaps that is a question which should more properly be given as a written question, but if the information is available, perhaps the government would answer?

**Hon. Mr. Pearson:** It is not, Mr. Speaker.

**Mr. Porter:** Exactly which departments or individuals in the Yukon government, or under contract to the Yukon government, are responsible for collecting, compiling and analyzing the returns?

**Mr. Pearson:** Mr. Speaker, I would respectfully suggest that that is exactly the same question as his colleague previously asked.

**Mr. Porter:** I would like to ask the government leader: will the returns be made public or will there be an independent audit of the returns?

**Hon. Mr. Pearson:** There are no returns. That is not the object of the advertising campaign at all. The advertising campaign was to disseminate information to the public and that is what has been done. Obviously, it has been very effective. The party opposite seems to have some objection to us telling the general public what we are all about; a most extraordinary circumstance, I would respectfully suggest.

**Question re: Partisan advertising**

**Mrs. Joe:** A question to the government leader, concerning the ad campaign on land claims: what was the total cost of the campaign, including time spent by public servants or the land claims negotiator writing the content, printing costs and distribution?

**Mr. Speaker:** This again is a type of question that really properly should be delivered as a written question requiring detailed replies. Would the honourable member be prepared to provide a written question in that regard?

**Mrs. Joe:** Yes, I will, Mr. Speaker.

**Mr. Speaker:** Is there a supplementary question?

**Mrs. Joe:** Yes there is. Under what item in the 1982-83 budget does the cost of the campaign appear?

**Hon. Mr. Pearson:** We tabled supplementary estimates. We also tabled a budget that has a considerable amount of money in it, in respect to advertising. And once again, there is no campaign.

**Mrs. Joe:** What authority can the government leader invoke for placing the ads without prior approval of the Legislature for both the expense involved and the actual content of the ads?

**Hon. Mr. Pearson:** If the honourable member stays around this House long enough, she will learn what authority we used.

**Question re: Partisan advertising**

**Mr. McDonald:** I have a question on the same subject to the government leader. Yukoners have shared the burdens of the land claims advocacy ad, which asserts that the Department of Indian Affairs and Northern Development is deliberately subverting the national objective to "further the evolution of self-government in the northern territories". Is the government leader prepared to table documents which would substantiate such a statement?

**Hon. Mr. Pearson:** I would love to be able to ask the hon. member whether he is asking on behalf of the Department of Indian Affairs and Northern Development. That is a statement of fact. It is irrefutable.

**Mr. McDonald:** The question asked is whether he would table the documents. He has not answered that question.

Based on the Tory land claims ads, are we correct to assume that the policy of this government is now that provincehood is or ought to be a *quid pro quo* of a successful Indian land claims settlement?

**Hon. Mr. Pearson:** The very tone of the question indicates that the hon. member really does not understand what provincial status is all about, or what has been happening, very seriously happening, in respect to our negotiations with the government of Canada in respect to us getting back to the table. If he honestly thinks that this reduces itself to us on some kind of a power trip in respect to provincial status, he has missed the point completely.

**Mr. McDonald:** Is the government leader prepared to inform this House, either through a statement or by tabling documents, of the exact nature of the differences between the federal and territorial positions on the evolution of self government? Particularly: what exactly does this government want, and when does it expect to achieve the changes?

**Hon. Mr. Pearson:** We are not talking about self government. That is not what it is all about. I would respectfully suggest that the hon. member spend a considerable amount of time very carefully going through the extensive documentation that I tabled in the House today. It may answer some of the questions for him.

<sup>07</sup>

**Question re: Partisan advertising**

**Mr. Penikett:** The advertising certainly did not. It tended to inform the public that there was more content in the average *K-Tel* TV commercial.

Since the statement in the "poker hand" land claims flyer asserts that the northern program of the federal government is obstructing

the one government system on which the land claims settlement is hoped to be based, can the government leader explain what northern program the insert refers to and in what ways it is obstructing the one government system?

**Hon. Mr. Pearson:** I thought the leader of the opposition was fairly familiar with the makeup of the Department of Indian Affairs and Northern Development, the department in the federal government that this government has to deal with on a daily basis. One of the branches of that department is a branch called the Northern Program. It happens to be headed by an assistant deputy minister who, from our perspective, has deliberately tried to subvert the land claims process and our eventual evolution to responsible government.

**Mr. Penikett:** The government leader refers to his perspective. Is the government leader prepared to provide documents to this House to substantiate his assertion of federal obstruction to the one government system?

**Hon. Mr. Pearson:** Not even the federal government is asking me to do that. Once again, I honestly believe that, if the hon. leader of the opposition looks at the documentation that has been tabled today, a lot of his questions should be answered.

While I am on my feet, should the members of the opposition wish to have a private meeting with the land claims negotiator to discuss every subject that has been covered by Mr. Phelps at all of the meetings that he has been at, I would be more than happy to arrange that at a mutually convenient time for everyone. If the members opposite have not heard what Mr. Phelps has had to say — they have been able to go to public meetings but they have chosen not to — I do not want to imply that we are not telling them anything. They are quite welcome to attend and I will even arrange a separate private hearing for them.

**Mr. Penikett:** I thank the government leader very much for his offer but I would ask him, since he has made the offer, why it is that we would be the beneficiaries of a private meeting? Presumably it would prevent us from being able to pursue any of these matters in public further, when it seems that everyone else in the territory, including the public servants here, have been the beneficiaries of a public briefing session with the same person?

**Hon. Mr. Pearson:** That is just the point that I am making. I have not seen any of the members opposite at any of these public meetings.

**Some Hon. Member:** We do not go to Tory meetings.

**Hon. Mr. Pearson:** All of a sudden, public meetings are Tory meetings?

#### Question re: Partisan advertising

**Mr. Byblow:** I attended a private meeting, however, it was not public.

On the same subject, after years of refusing to provide any information about its position on land claims to this House, because of the secrecy surrounding Indian land claims negotiations, this government today releases an information package to the general public without any prior debate in the House. How does the government leader justify releasing these packages of information to the public, and tabling them in the House so late, today, in such a manner, after having refused to provide the real information to members of this House and after having refused to debate even the basic principles of its position?

**Hon. Mr. Pearson:** Good question? Not so. I challenge the member for Faro to read very carefully the documentation tabled today; to read very carefully the advertisements put into the newspapers; to listen very carefully to everything that has been said by me, any of my colleagues or the Yukon land claims negotiator. I defy him to point out where we have ever collectively, individually or separately breached the confidentiality of land claims.

This documentation has absolutely nothing to do with land claims because that is not the issue. This is an argument between the Government of Canada and the Government of Yukon. It does not involve the Council for Yukon Indians.

**Mr. Byblow:** If this package has nothing to do with land claims, why is this government not at the table?

**Hon. Mr. Lang:** You have already asked your question.

**Mr. Byblow:** The government leader has all the opportunity that I do not have to answer and ask questions.

**Mr. Speaker:** I believe the hon. members are now entering into debate on both sides of the House. If there is a question from the hon. member, could he kindly state it?

**Mr. Byblow:** Did the government seek the approval of the other two parties in the land claims talks for release of the information in the package that was tabled today?

**Hon. Mr. Pearson:** No, I am not going to ask the acquiescence of the Government of Canada to release information to the people of this territory that we, as a government, feel they have the right to know. I am going to tell the people of this territory what we think that the people of this territory have a right to know.

**Mr. Byblow:** Why has he, then, for four years, refused to give us any of this information?

**Hon. Mr. Pearson:** I have never refused to give them any of the information that is there now; never, ever. They have never asked the question before. Once again, they are making assumptions before they have read what is there.

My offer stands. My challenge stands. I would very much like any one of the opposition members to make a specific reference to any time that we have breached confidentiality in respect to land claims. The challenge stands.

#### Question re: Partisan advertising

**Mr. Kimmerly:** This government stated, in the "poker hand" flyer, that it will only return to the negotiations when it is agreed that the settlement is final. In view of the already agreed to continuation in perpetuity of some rights, what does it mean by the word "final"?

**Hon. Mr. Pearson:** Exactly what it says. No agreement can be perceived to be fair if, in fact, it is going to be opened a year, two years, or five years later.

What must be understood is that there was agreement, and it is public knowledge that the agreement was going to be final, and the Minister of Indian Affairs and Northern Development changed that on November 27th. He said that the agreement was no longer going to be final, that there were going to be new tri-partite negotiations to come afterwards; that was the change.

**Mr. Kimmerly:** Is it the policy of this government to oppose a partial implementation of land claims, pending some of the issues being resolved through further negotiation?

**Hon. Mr. Pearson:** We have implemented a number of the agreements-in-principle on mutual understanding and agreement between the three parties. We have not suggested, nor do we intend, to renege on any of those agreements, at this point in time.

**Mr. Kimmerly:** Would the government leader accept the finality principle as it applies to the Yukon government's claim? For example, does the government leader accept the proposition of 20 percent of the Yukon's land being transferred, on condition that the government never ask the federal government for anything ever again?

**Hon. Mr. Pearson:** That is an absolutely ludicrous suggestion by the member, absolutely ludicrous. Once again, it shows the shallowness of the intelligence of the member asking the question if he thinks that that is what land claims is all about. I feel sorry for him because, after all, he is one who I thought had a fairly good perspective of what land claims is all about and what the objectives from all three parties, in respect to this land claims settlement, were. It indicates that he is looking at it from a totally myopic point of view.

#### Question re: Land Claims Negotiations Confidentiality

**Mr. Porter:** On a point of correction to the government leader, the word is "myopic".

My question deals with the whole issue of confidentiality of negotiations. In his land claims political meeting held in Teslin last night, did the government leader or any member of his party discuss openly a land claims sub-agreement concerning the social programs issue?

**Hon. Mr. Pearson:** I do not recall; I would have to say no, I do not think we discussed openly any sub-agreement at all, other than

of hunting, fishing and trapping, which have been made public in the past.

**Mr. Porter:** That is not the information that I received.

The second supplementary to the government leader: what is the government's position on the Council for Yukon Indians' request to appear before the Committee of the Whole of this Legislature?

**Hon. Mr. Pearson:** I received a letter from the Chairman of the Council for Yukon Indians. I have answered that letter and my answer, in effect, was that I have referred his letter to the Chairman of the Committee of the Whole and that it is his responsibility to deal with that, at the proper time.

**Mr. Porter:** Can the government leader indicate a timeframe in which this response can be expected?

**Hon. Mr. Pearson:** No, that is a function of this House.

**Question re: Bituminous Surface Treatment**

**Mr. Philipsen:** I would like to direct a question to the Minister of Highways, Mr. Lang.

Could he please inform this house if he has got anywhere with the application of bituminous surface treatment in the areas of Porter Creek east and west.

**Hon. Mr. Lang:** I have met with the City Council in respect to the possibility of putting an application of BST into the Porter Creek area in conjunction with the City of Whitehorse. We have agreed between the two administrations to do a report, which should be available by mid-May or towards the end of May, to give a cost analysis of such an application as far as that area is concerned. At that time it would be my intention to meet with the City to see if we could reach an amicable arrangement which would allow BST to be applied in Porter Creek in a manner that would not be that costly to the homeowners who live in the area in question.

**Question re: Yukon Indian land claims**

**Mrs. Joe:** I have another question for the Government Leader.

Is it the official policy of this government to boycott Yukon Indian land claims? If it is, when was this policy adopted?

**Hon. Mr. Pearson:** No it is not an official policy of this government.

**Mrs. Joe:** Is it now the policy of this government to negotiate with the Federal government through the media rather than at the land claims table?

**Hon. Mr. Pearson:** No. I think probably if the hon. member was careful and looked at the sequence of events, I am sure she would find that we have not done anything through the media that has not in fact been asked of us through the media.

**Mrs. Joe:** Is it the policy of this government that the transfer of 15 to 20 percent of Yukon Land to the control of the Territorial Government must be linked to the land claims as a pre-condition of a settlement even if such a position threatens a land claims settlement?

**Hon. Mr. Pearson:** No, and not only that, but that has never ever been suggested.

**Question re: Partisan advertising**

**Mr. McDonald:** I have a question for the Government Leader on almost the same subject, concerning the full page land claims questionnaire ads.

In considering that a request was made to have these land claims questionnaires returned to the government at the bottom of the ad, how many questionnaires have been returned to the government?

**Hon. Mr. Pearson:** I do not know. I am sure there have been a few. But once again, we have made it clear to people that we did that as a method of disseminating the information; that we were not conducting a survey; and that we did not expect people to send those returns in as though we were conducting a survey.

**Mr. McDonald:** Can the government leader, in that case, state clearly why he asked for the documents to be returned, and beyond that, notwithstanding the fact that the questionnaire results would have no statistical validity, when can we expect a detailed report to be made public.

**Hon. Mr. Pearson:** We asked people to advise us if they wished to have the information package that we have tabled in the House today. If it was not going to be convenient for them to pick it

up then it could be mailed to them. We offered to do that. The offer still stands. Short of sending one of these to every citizen of the territory we felt this was a fair and equitable way to do it; to have them give us a call or drop us a note or tear off that back page and send it back to us and we will make sure that they get an information package.

**Question re: Bituminous Surface Treatment**

**Mr. Brewster:** I would like to ask a question of the hon. Minister for Highways.

Starting last fall, we had a number of conversations about putting BST in Beaver Creek and putting BST in White River; are there any plans to complete this?

**Hon. Mr. Lang:** Yes, and I am sure the members opposite will be pleased to hear this as well. It will be our intention over the course of the forthcoming summer months to complete BST application from White River to Beaver Creek, except for, I believe, a five kilometre stretch, which will have to be reconstructed prior to such an application being put on that particular piece of the road. So, overall, I think its going to be of benefit to the member's constituency as well as tourists and the travelling public in general.

**Question re: Partisan advertising**

**Mr. Penikett:** I have a question about the questionnaire for the Government Leader.

The questionnaire recently placed by this government as a full page ad, at the taxpayers' expense, asks if the respondent believes the Yukon should pay the cost of implementing a land claims settlement. Since no one that I know ever suggested that Yukon should pay the cost of a land claims settlement and since all previous indications have been that the federal government would pay the cost, what specific costs does the question refer to and why were these costs not indicated in the question?

**Hon. Mr. Pearson:** It is a great question and one that I would be very happy to answer. I might have to take a couple of minutes to answer. The hon. member has made an assumption that the federal government is going to pay the cost of implementing a land claims settlement in the Yukon Territory. We have been negotiating — we being the Government of Yukon — various governments of Yukon, a land claims settlement since 1973 with that very assumption. The fact of the matter is that some two years ago an agreement in respect to costs after a land claims settlement was drawn up to be signed between the Government of Yukon and the Government of Canada. Now, we still do not have a signed agreement, and we seem to be having some trouble getting it, and what we are doing is asking why. Surely the "why" is not because the federal government expects the taxpayers of Yukon jointly to assume all of what should be the federal government's responsibility in respect to a land claims settlement; it is ludicrous. But, a very simple straight forward answer to us just has not been forthcoming.

<sup>10</sup> This is the magnitude of the kind of problems that are existing right now with the federal government. They are not new; none of these issues are new. None of them just happened. All of them are long-standing problems that have just not been brought to everyone's attention all at the same time. What did it was the minister's statement here on November 27, 1982, when he actually changed the rules. One, with respect to the finality of an agreement; and, two, in respect to the transfer of lands that have already been negotiated. He changed those rules, too.

**Mr. Penikett:** I am not a lawyer and I do not know how one party to an agreement can unilaterally change it except if you are talking about a teachers' wage agreement.

If this document, which he refers to, has not been signed by the federal government, I assume then that the other parties are not obliged to respect the secrecy of such a document that the third party has not signed. Is the government leader willing to table this document in the House as evidence of this assertion that the federal negotiating team wants Yukoners to pick up the costs of land claims?

**Hon. Mr. Pearson:** No, it is a document that has been derived through the process of land claims negotiations, although the

agreement is between the Government of Yukon and the Government of Canada. No, I cannot table it.

If the member is questioning my veracity or my word with respect to whether it is signed or not, then he should do so. I am saying that the document, number one, exists; and, two, is not signed.

**Mr. Penikett:** We have the same problems as the public, we are asked to accept things on faith without any evidence. Can the government leader provide any other documentation that conclusively shows that Yukoners would be expected to pay the cost of an Indian land claims settlement, or at least would show that the federal negotiating position is to pass on these costs to the people of Yukon?

**Hon. Mr. Pearson:** Believe me, if there is no agreement with respect to these costs, we are negotiating an agreement that is a one government system. We are going to be responsible for delivering services that are now the federal government's responsibility. The responsibility of delivering those services, given no other mechanisms, automatically requires that we pay for the delivery of those services as well; that is basic. The member is asking for documentation that simply does not exist. What we want to be able to have is a piece of paper that says that the Government of Canada is prepared to pay these costs when they are incurred. It has been inferred, for years and years, that this is what is going to happen but, when push comes to shove and we get down to the nitty-gritty, all of a sudden it is very tough to get signatures.

#### Question re: Agriculture

**Mr. Falle:** I would like to direct this question to the minister responsible for agriculture. What are his plans for agriculture in the upcoming season?

**Hon. Mr. Lang:** I notice the member for Mayo laughing and perhaps he does not feel that this is an important subject, but I recognize that it is very important to the member for Hootalinqua. The Agriculture Development Council has been meeting over the past number of months, going over the various applications and a number of them are being completed as far as firm transfers to individuals are concerned.

In the forthcoming year, I expect the Agriculture Development Council will continue to work in that area as well as in conjunction with our department and with the Government of Canada to look at federal lands that could be transferred. Further to that, we are discussing within the department — and it will have to be discussed at a later date with my Cabinet colleagues — the possibility of bringing on-side some technical expertise that could aid those people who are going into the area of agriculture. I think that would be of great assistance to them. There are further plans ahead and, as they come forward, I will update the member for Hootalinqua. If the member for Mayo considers it funny, I will not bother informing him.

#### Question re: Land claim of YTG

**Mr. Byblow:** The Minister of Municipal Affairs must be encouraged by his absence at the land claims table...

**Mr. Speaker:** Order, please. I believe the hon. member is now making a speech. Please, if he has a question would he please put it forward.

**Mr. Byblow:** Moments earlier the government leader indicated that his government's demand for 15 to 20 percent of Yukon land was not tied in any way to land claims, yet I distinctly recall the December position that claimed that as an objective before 1987.

Has this government made a land selection and, if so, have maps and other documents detailing the land selection been made, or presented, to the federal government?

**Hon. Mr. Pearson:** No. We are not anywhere near that. I have to emphasize, once again, how reasonable we are with respect to this. All we are trying to do is establish a process with the Government of Canada, nothing else. There have been some site specific lands negotiated in the agreements-in-principle that have been signed, land that we thought was going to be transferred to this government either prior to, at the time of or immediately

following a land claims settlement.

If the members opposite will read the speech given by Mr. Munro in this very House on November 27, 1982, it states that that land was not going to be transferred. That is one of the problems that we have. We have said, very emphatically, that we anticipate, in future agreements-in-principle, that there will be other site specific lands that we will want transferred to this government prior to or at the time of the land claims settlement.

In addition, we expect a process to be in place that will tell us how the federal government intends to give to this government, over a period of time, 15 to 20 percent — and I think we said five years — of the land in this territory. Nothing specific at all.

**Mr. Byblow:** Since I fail to see how the land selection process can be encouraged by an absence from the table where part of that can take place, what principles, what criteria does this government consider important in determining which land to select in its land claims negotiations?

**Hon. Mr. Pearson:** When you are dealing with a bureaucracy like the Government of Canada, the first thing you do is put a process in place. That is what the Council for Yukon Indians did in respect of their land claims; the first thing they did was establish the fact that there would be a land claims. Number two, they started negotiations; number three, they identified the land. We expect to do exactly the same thing.

**Mr. Speaker:** Order, please. The time allotted for question period is now expired.

We will now proceed to Orders of the Day.

#### ORDERS OF THE DAY

**Mr. Speaker:** Address in Reply to Speech from the Throne.

#### ADDRESS IN REPLY TO THE SPEECH FROM THE THRONE

**Mr. Clerk:** Adjourned debate, Mr. Byblow.

**Mr. Byblow:** Having listened to the debates that took place yesterday and to some of the responses that we heard today in question period, I am compelled to respond to some of these in my opening remarks.

I would firstly like to say to the member for Porter Creek West that I believe he made some genuine, heartfelt comments yesterday and I would like to respond in the same fashion. The member was concerned about equality and that, somehow, the present boycott of land claims was, in part, an attempt to ensure that no special interest group receives any special interest status.

I would submit to the hon. member that the exact opposite is closer to reality. The present withdrawal from the negotiations by this government at the land claims table, if continued, will do more to perpetrate the inequality than anything else conceivable. We will, in fact, have a two government system and you could not have anything more divisive, more separating and more inequitable than that.

The member for Whitehorse South Centre, I believe, put it quite succinctly. This government, in its attempt to marry the immediate transfer of lands, while it is a desirable goal, is not the fundamental issue at stake. The real issue in the Indian land claims process is about aboriginal rights, that unfinished business with the aboriginal people of this land about social programs, about rights to the land that they have occupied since known time, about eliminating the dependence on the federal government that our presence in the last 80 or 90 years has imposed on them. The Indian land claims is intended to bridge the present inequality and bring that inequality closer to a harmony that is desired by everyone who is living here.

I submit to the member for Porter Creek West and his counterpart for Porter Creek East, should he be able to fathom the concept, that the present action of this government, and including what they are saying, denies acceptance of that principle of aboriginal rights. This is a principle that this government had to have accepted when they entered into tri-partite talks: a principle enshrined in our Constitution, a principle that cannot be dropped because this government chooses to expand its meaning to include immediate acquisition of

land to its government.

That is clearly not to say that obtaining land under Yukon jurisdiction is not desirable or even not necessary as an objective; it is. I have yet to be convinced that the process to acquire land is not available, but we have to negotiate effectively to do it. We cannot do that in the manner we are attempting.

I suppose the bottom line is whether we agree that Indian land claims should inextricably include land claims to the Yukon government. I find it something symbolic that, on this side of the House, we refer to it most often as Indian land claims and, on the government side, the process is referred to as land claims.

I would additionally submit that the whole issue has been catapulted beyond the fundamental issue of resolving aboriginal rights, the original purpose, into the political issue of government land acquisition at the same time. It needs no imagination to see that if we continue an indefinite delay or end up with a reserve system, we clearly have sabotaged the original purpose and that will not precipitate the equality the member desires. That will not encourage any desirable post-settlement land transfers and that will not encourage any economic benefit to the rest of Yukon in any immediate future.

<sup>12</sup> More than ever, it will aggravate the racial disharmony that this government, and all of us, are mandated or committed to prevent. I think, in simple terms, I am saying that you do not promote progress sulking in the corner. And that is where this government has positioned itself. And while the government leader, who said yesterday that his government's current advertising campaign, including the public and private meetings with his chief negotiator, has nothing to do with land claims — and he repeated that to me today in question period — I submit this is not so. It has everything to do with their boycott of land claims. The government will recall that I was graced with the privilege of attending their opening press conference, at which this whole exercise was kicked off, and I repeat: it had everything to do with an attempt to justify their boycott.

It was also made clear that five of the six issues were not difficult to resolve and probably already resolved in part. The real issue was land. The real issue was land. That is what was said; land the Tories want, and attempted to take the land claims process to ransom to get.

And it seems to me that the jeopardy into which this government has placed Indian land claims has not only identified their callous concern for the fundamental purpose of the claims, it has served to highlight something else, something very serious and threatening, and it is that relationship which might exist between two levels of government; theirs and the federal government. I will expand on that.

At some point yesterday, the government leader spelled out the gut position of his attitude to the federal government. He said that there were too many feds in the Yukon, and he did not want to see them owning the largest mine in the territory, Cyprus Anvil. Now, it seems to me that if this government really wanted less federal presence, they would settle the Indian land claims and get rid of DIAND presence here. But this government is at such political odds it cannot separate the political gamesmanship from the common good.

Good government, whatever its philosophical strain, is an expression of the public interest, not the private interests of a few. Now, the common good dictates that dutiful attention be given to democratic principles and democracy demands that this House be consulted about the major Indian land claims issues. I believe, further, that democracy dictates that this legislature is the master of this government, not the other way around.

I would go further and say that the style of this government, its attitude, its jeopardizing of events through the political gamesmanship I referred to, is a most disillusioning reality. In fact, the Throne Speech, in itself, though a fine summary of government activities — old ones, some new ones, recycled promises, federal aid programs — does not really spell out the reality. Where we look to a government for new initiatives, for direction, for leadership; we get measures we can describe as sabotage, inaction, and undermining. Where this government could have shown leadership,

should be taking charge by committed initiative, and ought to be demonstrating responsibility and serious concern for the social and economic health of the territory, it has opted to threaten land claims, to unbelievable confusion in the Cyprus reopening, and to a showing of complete disrespect for the civil rights of members of our community.

I have already spoken about Indian land claims, but I would like to put a couple of things in perspective about the Cyprus Anvil scenario. I would have thought that this government was unshakably committed to the reopening of the Cyprus Anvil mine at Faro. I would have thought that this government did its homework and recognized the economic importance of that mine to the Yukon economy, in terms of the mineral, the transportation and the service sector jobs. I would have thought that this government calculated the massive economic product that Yukon would need should that mine not reopen.

To put a couple of things in perspective, it became apparent in mid-February that the Cyprus mine could go into indefinite mothballing if outside assistance were not forthcoming. The union leaders were called in and told that that was nearly the case. It became apparent at the same time that there was not the support in the federal cabinet to provide the financial aid requested. And there was no indication from this government of any initiative.

<sup>13</sup> Let me say that the issue was deadly serious; more serious than anyone in the territory could really imagine. It becomes a matter of tragic proportion when you witness the personal hardship, the crumbling businesses and the community disintegration such as is taking place in Faro, added to that kind of an announcement. I would expect that I am preaching to the converted in this House when I speak of concern for the erosion of services in Faro and Yukon over the continuing closure of that mine. I would also hope that no one needs convincing of the massive aid, calculated to the amount of \$61,000,000, that would be required to prop up the Yukon economy over the next two years, should that mine not reopen.

In the ensuing exercise to lobby the federal government, I was most impressed by the conciliatory process that developed a consensus position. That consensus position could not have been made without the give and the take of the participants and, at the same time, the magnitude of the seriousness about the consequences of the closure of the mine was wholly appreciated and debated.

As I said earlier, I am sure that I am talking to the converted in any discussion about the importance or the significance of the Cyprus mine. I have to say, though, that I was somewhat appalled at the suggestion, yesterday, by the government leader that he would rather have Americans running the mine than Canadians owning it.

**Mr. Speaker:** Order, please.

**Hon. Mr. Pearson:** The hon. member is deliberately misrepresenting me. He knows very well that I said that I would rather have Americans owning it than the federal government owning it.

**Mr. Byblow:** I do not think that I said anything different. I think, having said...

**Hon. Mr. Lang:** *(Inaudible)*

**Mr. Byblow:** The Minister of Municipal Affairs seems to feel that it would be better to have Americans own the country than Canadians.

**Mr. Speaker:** Order, please. I think, gentlemen, that we are getting back to the similar situation that we got into in yesterday's debate. Unless members have matters of grave importance to raise as points of order, they could allow the member speaking to continue.

**Hon. Mr. Lang:** I believe for the sake of *Hansard*, I pointed out to the members opposite that when the Americans owned it the mine was running.

**Mr. Speaker:** I am afraid the members are now arguing over allegations of fact and this is an abuse of the rules of the House.

**Mr. Byblow:** The Minister of Municipal Affairs would be quite pleased, then, to know that the same American company that he speaks so highly of is laying off workers across the country. If he feels proud about that, I wish him well.

I think, having outlined some of the events leading up to the



delegation going to Ottawa, you will appreciate the absolute dismay when it appeared to the delegation that this government, after some silence for a couple of months on the issue, appeared to have told Yukoners one thing and in Ottawa circles stating something different. It is a fact that the members of the delegation were in shock to hear a federal Minister of Finance advise a group, a group that was bringing a consensus of support to assist the Faro mine to reopen and thereby productively help save Yukon's economy, that the government leader, only weeks previous, had advised the Minister of Finance that his government opposed the idea of public funds being used to reopen the mine and did not consider it a priority of his government.

I do not want to belabour that. The government leader has taken pains to explain what he really said. Perhaps a better way to put it would be to say what he really meant. I do recall, however, when Mr. Lalonde, federal Minister of Finance, was questioned about the reality of what he was telling us that his comment was, "Three of us, including my aides, could not be wrong".

I suppose that is hindsight. I suppose it is hindsight to suggest that this government ought to have been there. It would be hindsight to say anything about Mr. Pearson's presence in Ottawa at the time. It would be water under the bridge to mention that there was a last minute effort to bring someone from the cabinet into the Lalonde meeting because of the contradictory position. I am relieved to see this government making a much more firm commitment, in fact, by going down to Ottawa next week. I am pleased to see this government introduce a top-up to the Faro recovery. It moves the reopening of that mine a little closer.

I am relieved that this government is giving the Faro re-opening the priority it deserves. I am glad to see that, if nothing else, the delegation refocused the issue and helped clear up whatever misunderstandings had taken place. I sincerely hope that, for the sake of the crumbling around us of the Yukon economy and Yukon's second largest community, none of this political posturing and confusing signals ever take place again, because any political posturing in less than a clear message serves only to jeopardize the frail economy that we have.

Unforgivable as it may be that the federal Minister of Finance was left with such a wrong impression, and inexcusable as it may be that less than adequate communication took place, I want to, as I did yesterday, wish the government leader very well in his very serious undertaking next week and hope that the cooperation and consensus achievement, as expressed by the delegation, is continued.

On the other hand, however, I believe that the Minister of Education, who has similarly jeopardized a healthy educational climate in the territory, would be well-advised to patch that blunder up in her bailiwick as soon as possible. The member for Porter Creek West is wrong and so is the minister wrong in saying that this government has not interfered dictatorially in the bargaining process of teachers. This government has not only interfered with the normal bargaining process, but it did so after winning reasonable voluntary concessions on the strength of harsher measures not to be following. That is the breach of faith; it is negotiating in bad faith; it is a blunder from which all consequences have yet to be fully felt. I think it is absolutely deceitful to suggest that the teachers signed the agreement after the restraint legislation was passed and, therefore, they agreed to both. The minister knows that is misleading. The teachers know that is incorrect, and I say it is garbage. The agreement to the voluntary concessions was reached in early November and it does not matter when it was signed, an agreement is an agreement. The teachers did not break their end of it, which was to have been a substitute for any wage controls. The government and the minister broke their end of it by slapping wage controls on top of the voluntary concessions.

If this government thinks it was perfectly in order to have done what it did, then I ask, "Why is the morale of teachers over this issue so negative?" I ask the minister, "Why has the YTA declared the territory in dispute?" and I ask the minister, "Why are teachers now investigating work to rule?" These questions exemplify serious erosion, an erosion that ultimately surfaces in varying forms in the classroom.

If this government does not believe the degree of erosion, let me cite into the record the position of the teachers. This is from a letter of the Association, dated March 18th. "The Yukon Teachers Association and its members have been involved in a dispute over the recent introduction of Bill 17. The basis of our discontent stems from the manner in which this bill evolved, as well as the bill itself. During our negotiations leading to concessions, Bill 17 was being drafted, but in secrecy. In response to questions on November 16th, Mr. Pearson indicated the government had no intention of interfering with the collective bargaining process. Such statements gave ample indication to us that, should future financial problems occur, the resolution could be found through joint consultation process with the possibility that future concessions might be required.

It is our position that the Yukon territorial government misrepresented the situation to us and, by maintaining the secrecy until late in the session, put us in the untenable situation of being unable to negate the agreement. As to the bill itself, it shatters confidence in the government's credibility, insofar as the collective agreement can no longer be seen as secure. Any future agreement can be broken by the employer in the same manner. The limitations on bargaining power under Bill 17 complements the government's refusal to negotiate housing conditions, learning conditions, such as class size, and teaching conditions. We are left with very little to negotiate and, beyond the legislation itself is the fact that it was done in secret. The secrecy continues. In early January, I met with Mr. Lang, acting government leader, pointed out the errors in the wording of the legislation, asking for an admission of these errors and a commitment to amend the bill. To date, the Association has had no admission of this error. Following the failure of the contract discussions with YTPSA, I was told, in writing, that amendments would be made".

We now have knowledge that amendments to Bill 17 will be tabled but we have no admission of error; we have no conciliatory offers from this government; and we have an eroding relationship between the government and its teachers. This is not conducive to a healthy climate in the classroom. And any continuing indifference by this government or its ministers serves only to exemplify its real commitment to educational standards and objectives in this territory. And if this government now intends to reopen *The Schools Ordinance* in order to introduce a layoff clause, as reported to me, then I submit that Reaganomics is alive and well in Yukon. But I am sure we will have more on that later.

This government has stated that its primary objective is to keep people living and working in Yukon. I submit that, from the giggling performance of the Minister of Education and some of her counterparts, they are not very serious about some of these things. I earlier detailed my skepticisms surrounding the objective of this government to keep people alive and working in Yukon surrounding the Cyprus Anvil scenario. The treatment of the public service, particularly its teachers, gives rise to further concern. And how that objective is applied in the Indian land claims boycott, I really do not know. The continuing performance of sabotage, of undermining and inaction, I find clearly a disappointment. It is counter-productive to the claim that this government works for and with the people of Yukon.

I think, in conclusion, this government can go a long way in bringing us together instead of continually tearing us apart.

Thank you.

**Mr. Speaker:** Question on the amendment has been called.

*Amendment defeated*

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

**Hon. Mrs. Firth:** It is less than one year since this government came into power. In spite of severe recessionary times and fiscal restraints, it is evident, as outlined in the Throne Speech, that we have been successful in combatting these difficulties. In the face of mine closures, reduction in revenues, and business declines in the private sector, we have been able to maintain an adequate level of service to the public. As Minister of Education, I was faced with the unenviable task of cutting dollars while, at the same time, dealing with growing demands. Nevertheless, we were able to protect important educational programs, student/teacher ratios, acceptable class sizes, and other quality of education indicators. It

was not easy. Administrative budgets were slashed. Travel, stationery and supplies, overtime, casual, busing, and similar items which did not bear on quality of education, were prime targets for reduction. Dollars were also found and applied to programs by the public service staff working the nine-day fortnight. This affected all public servants, including custodial staff, clerk/typists and administrators. Some of these staff not only contributed a day's pay every two weeks but also worked their day off. Ten days' work for nine days' pay.

Teachers, through joint government and Yukon Teachers' Association consultation, were cooperative in providing concessions.

It would be a mistake to give the impression that we are now out of the woods and heading towards a bright horizon. We still are in an unfavourable fiscal situation. We will not be able to meet all the requests for program expansion and improvement. Times are tough, dollars are scarce. This next year requires careful planning and scrutiny of program areas for cost effectiveness.

Since last session, we have opened a new school at Pelly Crossing and agreed upon extensions to the Carcross School with the school committee. Work on these extensions should begin as soon as possible. In spite of restraints, the most important people in the school system — I will accentuate, the most important people in the school system, the students — were protected. All educational programs were maintained and the requirements of the curriculum were met.

In advanced education, we have been examining course offerings at the Yukon College and will be providing a wider selection of options in the fall. A variety of employment development programs was established in response to the needs of the unemployed, and these programs were launched successfully during the difficult winter months. The last program to be implemented, the new expansion and employment development program, will be advertised during the next few weeks, and projects will begin to be approved early in April.

Employment development programs have provided, to date, approximately 3,000 work weeks, and the NEED program should provide almost 3,000 more. Some of the projects approved and in place cover a wide range, including: highway slashing, painting of the Yukon government administration building, and housing maintenance. Thirty-six small businesses received a subsidy for over a total of 63 employees. Municipalities and private organizations have had projects approved throughout Yukon for activities as varied as the Watson Lake signposts, Faro recreation centre, Dawson City radio station, Yukon Arts Council, and almost 20 other worthwhile activities ranging from minor hockey to the Women's Centre

<sup>16</sup> Employment development programs are essential and necessary at this time. The federal government has taken the lead role in establishing such programs. Given other choices, we would much prefer the establishment of more permanent solutions, and that is permanent jobs and incentives to private sector and industry. The private entrepreneur and business sector, given the opportunity, will provide a foundation for the establishment of job positions that will remain with us and grow. However, it is important to deal with the immediate needs and if job creation is the only way to stimulate federal funding then we are prepared to take advantage.

The various employment development activities which I have outlined for you makes it clear this government has not been sleeping or missing any opportunities.

The outlook for the 1983 tourism season does provide a source of optimism in these tough economic times. Statistics from the 1982 season indicate only a slight decline in both visitors and revenues; this being a strong showing when compared to other regions of Canada and North America, where declines of up to twenty percent were experienced. All Yukoners must realize the importance of tourism to each and every one of us. Last year, tourists contributed just under fifty million dollars to Yukon's economy. The potential of this industry must be recognized and fostered by every Yukoner, not just those directly involved in the tourism industry. A satisfied tourist is our best marketing asset.

Other benefits are realized by tourism. The soon to expire

Tourism Agreement and the Employment Development Fund provide a source of funding that resulted in an impressive number of jobs for Yukoners during these hard times. In fact, over the course of this last winter and continuing into the spring, a total of over one thousand person-weeks of work were generated by these two funding sources. The following are a few details of the various projects and their impact on the job market.

The Dawson City visitor reception centre, over the winter, created approximately 120 person-weeks of work. Diamond Tooth Gerties created 260 person-weeks of work. The old Territorial Administration Building in Dawson, 30 person-weeks of work. The Watson Lake visitor reception centre and the Carcross visitor reception centre combined reached about 200 person-weeks. In addition, other projects undertaken in cooperation with the Department of Renewable Resources generated another 400 person-weeks, for the total of over one 1,000 person-weeks during the winter months.

We must give credit where credit is due. This impressive showing would not have been accomplished without a great deal of enthusiasm and support from the private sector through additional contributions of volunteer help. Two projects that stand out in this regard are Diamond Tooth Gertie's, where the Klondike Visitors Association contributed about \$450,000 to combine with the government's \$300,000, and the Dawson Museum where the Dawson Museum and Historical Society provided a large number of volunteer hours in the planning and other aspects of this project.

In addition to creating valuable jobs for Yukoners, these projects have long term benefits to the tourism industry as well as to Yukon's economic development. It is indeed a pleasure to work together and have the support of my fellow cabinet members and MLAs when putting forward tourism related proposals. A sign of a healthy industry was evident as the tourism related interests rallied after the announced closure of the White Pass Railroad. Alternate transportation and attractions have already been announced and we can look forward to another buoyant tourist season.

The 1982 advertising campaign designed by the cooperative marketing council is, to date, resulting in an increased number of inquiries over last year at this time; a very encouraging sign. However, it is not a time to sit back and rest on any perceived accomplishments. The 1982/83 marketing plan is being reviewed for improvements in 1983/84. Dollars are in short supply and maximum value for the dollar spent is a constant objective.

In other areas, legislative initiatives will be proposed. A very extensive recreation public review process has taken place and will be coming to a conclusion in the near future. Also, the heritage branch has been directed to prepare a government position relative to our historic resources and this is well on the way. I anticipate major legislation to be forthcoming in both these areas.

In conclusion I realize we still have tough economic times ahead but we must approach the future in a positive manner by being aggressive, competitive and by always looking for further opportunities. It is encouraging to receive realistic and positive advice from constituents, fellow MLAs, departmental staff and all other Yukoners, advice that is seriously considered in the process of decision-making, advice that is always in the best interests of all Yukoners.

**Mr. McDonald:** Speeches made in this House yesterday afternoon have forced me to rewrite what I thought was a perfectly good Throne Speech reply. Two Throne Speech replies in two days I must say is really unfair. I had no idea that the government side could so thoroughly confuse moral issues, could even misapply the words of one of my favourite authors, George Orwell. In fact, I think they exhausted all of the seven logical fallacies known to man since the time of the Greeks.

The speeches yesterday essentially dealt with aboriginal land claims and Yukon Government's constitutional aspirations. The government's position, fraught with paranoia, was essentially that land should not be titled to aboriginal people on the basis of ethnicity; aboriginal people should not be pampered, in one member's words, with special land grants, and people should not be more equal than others — and I ask that George forgive me for that. All of these statements have conveniently truncated history to what

is, for some, living memory. It is a statement of fact that aboriginal people lived in Yukon for centuries. It must seem to many elderly natives ludicrous and quite strange that any government should offer to give them land they have lived on for centuries and centuries, long before the Langs could scrape up enough juice from berries and twigs to paint their tartans.

<sup>17</sup> An historian with a proper historical perspective would wonder why the non-aboriginal people were not themselves attempting to negotiate land from the natives. We did not have to talk affirmative action here, we can instead talk just "due".

When George Orwell wrote the literary phrase, "some people are more equal than others", he meant to show that some people use the word equality as deception to hide the true power relationships that exist in some societies. When I see well educated, affluent members across the floor use the word "equality" to defend the *status quo*, I can barely resist the urge to shout out, "Right on, George". You told it true, George.

What struck me particularly strange about yesterday's debates were the charges: one, that the NDP is splitting the community; two, that the NDP must answer some questions; three, that DIAND is obstructing land claims. All three charges are absolutely ludicrous.

Charge number one — that the NDP is splitting the community — it is not the NDP which is boycotting land claims, it is the Tory government. It is the Tory government who is endangering the chances of a significant number of people in Yukon to become self-sufficient. It is the Tory government who is splitting the community by increasing the chances of a reserve system for natives.

As for charge number two — the NDP must answer some fundamental questions — before I deal with that I would like to know whose brainchild it was to ask the so-called fundamental questions after four years of negotiations, when the detail of these negotiations is almost complete. The question is: why the hell are we paying someone \$800 a day to screw up?

**Mr. Speaker:** Order, please. I would ask the hon. member to kindly keep his remarks at least in a parliamentary vein.

**Mr. McDonald:** Your point is well taken. No matter how simple-minded these questions appear, they belie some serious differences of opinion. The government quite clearly wants to use the vehicle of Indian land claims, which they demonstrated yesterday they do not believe in, to promote Yukon's constitutional development. Land is power and power is what they want. They want to use Indian land claims as leverage to achieve a settlement of completely different issues; that is, the legitimate aspiration of Yukoners for land.

These questions are asked after years of attempts to get land claims debated in the Legislature, and what loaded, simple-minded questions they are. The government wants us to answer yes or no, after the fashion of the Minister of Consumer and Corporate Affairs. I say, let us debate land claims, in principle, in the Legislature, and leave the simple-minded questions for the simple-minded.

The past winter can best be described as the winter of discontent. Many Yukoners left the territory in despair, others went on unemployment insurance or welfare, many for the first time in their lives, and almost all people felt general insecurity in the face of a trembling economy. We were told two days ago, in the Speech from the Throne, that the economy in the government's opinion may be bottoming out and stabilizing, presumably at the bottom. This means that the predicament most people find themselves in will continue, translating the winter of discontent into a summer of discontent.

People will simply not get used to a life of unemployment insurance; a life of insecurity, welfare and more insecurity. People want a government to show leadership, to demonstrate their ability to be efficient when the chips are down and to work overtime when the economic life of the territory is at stake. Most do not want to see the government throw up its hands and turn government services over to the profit takers. The people of Yukon justifiably expect two things of this government: they want the government to show leadership, encouraging real opportunities for economic survival

and they want the continued development of legislation such as labour standards and occupational health and safety, especially in the tough times.

The temporary, federally-initiated make-work projects advertised heavily in the Throne Speech can only be considered as stopgap measures to prevent the sudden economic collapse of our economy. They are meant to prevent, and not merely to postpone, the utter destitution of thousands of working people. To an extent, they are meant to check the downward slide of our economic infrastructure. However, they are, and must be considered as, temporary measures. Every effort must be made to snatch these opportunities for the economic wealth, which will have a lasting effect on the economy.

By that I mean that every effort should be made to open the Cyprus Anvil mine and to encourage the reopening of United Keno Hill Mines and, further, to reach a settlement of the Indian land claims, thereby reaping the direct and residual benefits of such an agreement.

On the opening of Cyprus Anvil, we heard frightening tales of inconsistent signals sent out by this government. Perhaps the eroded federal-territorial relationship had produced a climate of misunderstanding as serious as this, even after months of endless negotiations. Surely, the Yukon government was not sending different signals to the Minister of Finance than those sent by a widely-represented Yukon delegation; we can only hope.

The other potential major contributor to our economic survival is a land claims settlement. The economy is on the knife-edge of survival with only a few solid industries left. The land claims are just near completion, with a promise of massive transfusion of federal funding accompanying it, and the Yukon government boycotts the bargaining table. They refuse to go to further meetings. The member for Porter Creek East said, "We are not boycotting, we are just staying away. If the federal government gives us everything we want, we will go back and negotiate the signatures at the bottom of the page." They stay home, they refuse to play along with the ground rules set down years before. In so doing, of course, they jeopardize the one government system and postpone the transfer of agricultural lands, an alternative economy, and postpone the injection of federal funds associated with land claims.

As an aside, I realize that the government has made agriculture a low priority in the past. This afternoon the member for Hootalinqua asked the minister responsible for agriculture what plans he had for agriculture this spring and summer and, I must confess, I laughed out loud at the prospect of so short an answer. I was not disappointed. The minister responsible for agriculture could write one of the thinnest books in the world on agriculture. In five years, in fact, he sets up an advisory council, makes lots of promises and distributes the land according to rules not established in this House and in a manner not open to public scrutiny. His record on agriculture is not good; it will probably remain not good, and is still worth ridicule.

<sup>18</sup> I would like to have a private word with the completely irresponsible person who introduced the word "boycott" into the Yukon Cabinet's vocabulary. You simply do not betray one bargaining tactic only, when so many exist to make up good bargaining practice.

These two things, Indian land claims and the opening of existing mines, which have proven their long-term viability, must be our major initiatives. I feel that it may necessitate a revision of existing government policy.

Now, what else do the people of Yukon expect? They expect the continued development of legislation, such as employment standards and occupational health and safety, which are designed to meet not only their long-term interests as working people, but also to protect them when times are bad. We, as a Legislature, should not be issuing and passing such legislation only in times when we think there will be less need of it. Minimum protection for working people should remain a minimum in good and bad times. But, instead, in the Throne Speech, on occupational health and safety there is not a peep; of employment standards, there is not a whimper. Instead, working people face restrictive legislation, trashing the time honoured practice of collective bargaining. The

inherent respect for working people shown in the collective bargaining process, and the allowance for working people to participate in decisions affecting their lives, has been tossed out in favour of authoritarian rule.

In the Throne Speech, the government makes a bizarre statement, adding insult to serious injury, thanking the working people affected by the notorious Bill Number 17 for their cooperation. To quote from the Throne Speech: "I must say that the restraint measures could not have been successful without the high degree of responsibility shown by the public service in accepting our difficult, but innovative wage program. I am confident that they will continue to understand our problems and continue to approach the situation in a realistic and pragmatic manner".

In effect, government has put a knife to their throats, raped them and then thanked them for not struggling. I would say that the government employees, be they teachers, heavy equipment operators, or office workers, have shown an incredible degree of cooperation despite government actions. They were not asked to participate in austerity, to cooperate at the bargaining table in a time honoured and traditional manner; they were not shown that courtesy, they were not shown that respect.

The case of the teachers is somewhat different. After the bargaining was over, and a contract signed with the name of the government leader on the paper, the government asked for and received concessions from the sympathetic teachers, teachers who demonstrated a concern for the quality of education in the territory. After the concessions were agreed to, the government surprised their employees, including the teachers, and introduced authoritarian legislation, which broke signed agreements, agreements signed in good faith only a few months before.

That the teachers demonstrated their integrity by signing over the last of their concessions after the government broke faith does seem somewhat bizarre in the government-created climate of deceit. The Throne Speech preaches and pleads for cooperation and yet government demonstrates, through its actions, a lack of respect for any kind of spirit of cooperation. The Throne Speech only marvels at the ability of its employees to take it in the jaw. The situation is distressing.

Let me be brief and go on to my final point. Two days ago, the Throne Speech outlined the government's initiatives and stressed the importance of the tourist industry to the territorial economy. They spoke of upgrading the traditional tourist corridor, allowing for improvements in such places as Watson Lake, Carcross and Dawson. The member for Porter Creek West said the territory cannot live on tourism alone, and I am inclined to agree; however, there are ways we can improve what tourist prospects we have.

I would like to inform the House and all members that many persons turn right at Stewart Crossing on their way north and few end up regretting it. There is much to credit the communities, in terms of their historical nature and tourist potential. Mayo was originally a riverboat town and Keno was a prospectors' town unrivaled in the 1920's. The whole area exudes the pioneer mining spirit of a half century ago. The mine in Elsa is so history-conscious it has decided not to alter the atmosphere of the town one bit in the last 40 years. With that kind of community spirit, the area's residents would like to improve the tourist industry with government assistance, but it is going to take a change of attitude on the part of government; they are going to have to show a certain amount of imagination and realize that Yukon's mining heritage is not limited to Dawson.

Having said that, I would like to close on the promise that I will be pursuing such an initiative in the weeks and years to come.

**Hon. Mr. Ashley:** I thank you for this opportunity to reply to the Speech from the Throne.

On March 15th and 16th, I, in the company of the government leader, had the privilege to attend the First Ministers' Conference on Aboriginal Rights held in Ottawa. It was an historic occasion, both for Canada's aboriginal peoples and the two territorial governments. I say "historic" because it was the first time the native people of Canada and the territorial governments had the opportunity to sit down with Canada's decision makers.

The Government of Yukon, for its part, made the point in its

opening address to the first ministers, that the elected representatives of Yukon are morally entitled to attend all national constitutional conferences. We firmly believe that Yukon should be included in any future constitutional meetings, so that the views and concerns of Yukoners can be expressed in the same manner that the views and concerns of other Canadians are expressed by their elected government representatives.

<sup>19</sup> I was most pleased to see that the Yukon had substantial provincial support, and the support of virtually every native group for this position. It was most gratifying. I must say that I firmly believe that Yukon is further ahead than the rest of Canada in dealing with the important issue of aboriginal rights. Yukoners have been working hard towards the whole regime of special guarantees and other benefits for the Yukon Indian people for almost ten years. In spite of the present impasse, I am confident that we will succeed.

When we do succeed, I am convinced that the Yukon Indian land claims settlement will be the most progressive settlement in all of Canada. Even though it will be specifically tailored to meet Yukon conditions, I am sure it will contain many provisions which other native groups and governments may well wish to emulate. I found it somewhat ironic, at the First Ministers' Conference, that one of the major issues was that aboriginal and treaty rights should apply equally to men and women. In the Yukon settlement, this has never been a problem. Similarly, I found it ironic that non-status Indian representatives at the conference had to argue that they, like status Indians, require a land base. In the Yukon settlement, this, too, has never been a problem. Yukon Indians, irrespective of status, are negotiating a common claim.

Native leaders argued eloquently that their rights that now exist by way of land claims agreements or rights that may be acquired should enjoy the same protection as treaty rights in Section 35.1 of the Constitution. The government of Yukon was in full support of this position. In fact, on November 27th 1980, the government of Yukon, in its submission to the special Joint Committee of the Senate and House of Commons on the Constitution, advocated that aboriginal rights should be recognized in the Constitution and that they were deserving of protection. Yukon is in a somewhat unique position in this regard. Through the land claims negotiations, the parties have been defining the aboriginal rights of the Yukon Indian people. The government of Yukon would like to see this settlement of defined rights entrenched in the Constitution.

On November 18th 1981, the Yukon Legislative Assembly passed a resolution to this effect. That is a most important resolution and is well worth repeating; it reads as follows, "Whereas members of the Yukon Legislative Assembly support the land claims negotiations taking place between the governments of Canada and Yukon Indian people, wherein aboriginal rights held by Yukon Indian people over certain Yukon lands are to be replaced by new clearly defined rights to be enacted in settlement legislation; and whereas the aforesaid members desire the settlement legislation to be entrenched in the Canadian Constitution; and whereas the aforesaid members recognize the present aboriginal rights of Yukon Indian people and are desirous that they be recognized and affirmed in the Canadian Constitution but in a manner that will not impede the settlement of the Yukon Indian land claims and the ultimate entrenchment of the settlement legislation; Be It Resolved that the members of the Yukon Legislative Assembly urge the affirmation of the aboriginal and treaty rights of the aboriginal peoples of Canada in the Canadian Constitution, provided that the aboriginal rights shall be construed as having the legal status of rights cognizable at common law.

The resolution points out the very serious problem which may in fact make a land claims settlement in the Yukon impossible to achieve. Let me explain. Some constitutional experts believe that Section 35 now entrenches aboriginal rights against changes, except by amendment to the *Canada Act*. If this is so, aboriginal rights cannot be exchanged for rights under a land claims settlement in Yukon without an amendment to the *Canada Act*. This would mean that the Yukon Indian land claims settlement would require approval by the Senate, the House of Commons and two-thirds of the provinces, representing 50 percent of the Canadian population. This process could take years and may make a settlement

impossible to achieve. This is one of the six issues the Government of Yukon has raised with the Minister of Indian Affairs and Northern Development. The Government of Yukon is seeking a written agreement with the federal government that sets a unified approach to the problems posed by the *Canada Act*. At the Constitutional Conference, in one of the closed-door sessions, we sought assurance from the federal Minister of Justice, the hon. Mark MacGuigan, that land claims settlements would be negotiated and be concluded while the constitutional process was going on. We received that assurance. This assurance is reflected in clause 6 in the 1983 Constitutional Accord on aboriginal rights. In speaking of this Accord, I feel that some of the criticisms of it are not fair.

The issues that the First Ministers' Conference had to deal with are far too complex to deal with in one meeting. Further expectations of what could be accomplished in one meeting are far too high. This is understandable because expectations have been building for over a hundred years.

There has also been some criticism of Yukon's participation at this conference. This criticism is totally unjustified. Most of the work that is done at these conferences is done behind closed doors, out of sight of the TV cameras, and I can certainly testify to that. I was there. There were other issues of concern to the Government of Yukon, such as 42.1.(e), the extension of existing provinces into the territories, and 42.1.(f), the establishment of new provinces. These issues were raised and received considerable support from some of the provincial governments and native groups. However, there was little time to address them and they will be included on the agenda of the ongoing process. We, too, must be patient.

In this national forum, the Government of Yukon is prepared, in principle, to consider proposals that would give full constitutional protection to land claims settlements and treaty rights. We would support the view that principles or rights which are recognized at the national level should be flexible enough to allow for regional accommodations across the country. Beyond this, we are prepared to give serious consideration to all proposals suggested in the ongoing process in light of the desires expressed by the aboriginal peoples themselves and community interests as a whole.

In conclusion, I would like to see that the governments and aboriginal peoples of Canada embark on a great undertaking. We wish them all well.

Thank you.

<sup>20</sup> **Mr. Porter:** Before I begin my reply to the Speech from the Throne I would like, as my colleague from Faro did, express my appreciation to the member for Porter Creek West who called for a greater degree of cooperation between the members of this Legislature. In his speech, the member highlighted the use of the committee process as a forum in which we can achieve this degree of cooperation. I totally support a greater use of the process of the select committee.

However, I must take issue with the member's suggestion that the Indian people of the Yukon are pampered by this government or any other government. Ignored and stepped on, maybe, but never pampered. If anything, it is his colleagues from across the floor that have experienced being pampered. They have held the levers of power for a long time in the Yukon and that is presently in the process of being changed. As we look on, on the daily basis, that power is slipping away through their fingers, not because of changes around them but more or less because of their ineptness than anything else. I think the member should be clearly informed that the Indian people of Yukon express a desire to achieve self-determination, not a continued dependence on any government.

The member talks about cooperation in a very general way and I think that the people of Yukon are waiting for cooperation from this government. I think that it would be safe to say that this government has been the most uncooperative, confrontational government that the Yukon has seen. The unions are waiting for cooperation. The teachers are waiting for cooperation. The Indian people of the Yukon are waiting for cooperation. The federal government is waiting for cooperation. Most importantly, the people of the Yukon are waiting for cooperation from this government.

As a member of this Legislature and as an individual with native

ancestry here in the Yukon, I feel compelled to condemn this government's boycott of the land claims process. At a time of serious economic turbulence it is amazing that this government would choose to scuttle one of the most promising economic possibilities in the Yukon since the gold rush of 1898. The decision to boycott the land claims process not only denies the people of the Yukon the economic benefits that would flow from the claims process but it also makes very clear the Conservative position on aboriginal rights here in the Yukon.

I submit that the Tories do not want a settlement of aboriginal rights here in the Yukon. If they really did want to settle the claims and the aboriginal rights of the aboriginal people here in the Yukon, they would at this moment be at the bargaining table. I say to the member for Porter Creek East, who is not here at the present time, can he blame young native leaders when they say that this government does not represent them? Can he honestly blame them when he and his government are engaged in the campaign designed to destroy the one hope that many of them see as absolutely necessary for their future survival?

The land claims settlement is seen by many of the Yukon's aboriginal people as more than just a real estate and cash deal. A successful settlement is seen rather as an opportunity for the aboriginal people of the Yukon to rebuild and strengthen a society that has been ravaged and literally destroyed over the last hundred years by government indifference. A settlement of aboriginal rights in the Yukon does not mean an end to the multitude of problems facing Indian people. It is not a magic aspirin that will cure all the problems. Rather, it should be seen as a positive process that will equip the aboriginal people with the tools to survive, to grow and to learn from the ever-changing technological society in which we are living.

The Yukon Indian people are only a few short agreements away from an overall agreement-in-principle. It is at this critical juncture that this government chooses to walk away from the talks. Is it because they are such poor negotiators that they cannot hold their own when the negotiations move on to the tougher and bigger issues? Why is this government so opposed to Indian people being granted their just and legal rights? I will tell you why: it is because this government was opposed to the Council for Yukon Indians' participation at a parallel process set up to discuss the constitutional future of the Yukon. That is why, not the six red herrings that they have drawn up before the public.

It is because of their failure to recognize political reality that aboriginal people do have the right to determine the constitutional future of this country. If they had any doubts, the first ministers meeting held earlier this year in Ottawa should clear that up. It is at those first ministers meetings that clearly the precedent had been set that aboriginal people are, indeed, an integral part of this country and will be involved in the future determination of the constitutional process as it evolves in this country. This is the same constitutional conference that the government leader and the Minister of Justice attended. The Minister of Justice, I might add, enjoyed his experience so much that we hardly saw him on the second day of the conference. At least, for most of the time that I was there, I did not see him at all.

What was said here in the Legislature today about the aboriginal rights and aboriginal people was not said at the conference table at the First Ministers' Conference. If you remember correctly, all that was said was some opening and closing remarks by the government leader. In those opening remarks the government leader attempted — and I say attempted — to glean from the aboriginal rights process here in the Yukon; he attempted to portray his government as a protector of aboriginal rights. He attempted to portray that they have been involved all along in the development of the recognition of aboriginal rights in this country. What he failed to do, however, was be honest with the people of Canada. He failed to tell the people of Canada that he and his government are involved in a boycott that will deny the aboriginal people of the Yukon of their aboriginal rights.

<sup>21</sup> **Some Honourable Member:** (Inaudible).

**Mr. Porter:** It is true. Why are you not at the table?

In response to the issues raised by the member for Porter Creek

East yesterday, one of the questions raised in the member's speech is: who is going to pay for claims agreements. This is an issue best resolved through negotiations, not boycotts.

John Munro, Minister of the Department of Indian Affairs, offered in his speech of November 27th to this Legislature, the establishment of formula financing. I ask, should not this government be negotiating within this forum for the extra costs which it implies will be needed?

On the issue "land for all Yukoners", is not the government aware that in August, 1982, the CYI made public its position on the transfer of land to all Yukoners. As part of that position, CYI indicated that land should be made available to all Yukoners, with a formula that would reduce the price of this land according to the length of residency in the territory.

Yesterday, the member for Porter Creek East implied that the CYI does not support the concept of more land for Yukoners. Clearly, this is not the case. The aboriginal rights negotiations is not the forum for political squabbles between the territorial and federal governments. What we are talking about is aboriginal rights, not Tory rights, Conservative rights or Liberal rights. We are talking about rights that go back 30,000 years in this part of the country.

If the member for Porter Creek East firmly believes that he does, indeed, enjoy aboriginal rights, and would like to file a claim, there is the Office of Native Claims in Ottawa and I am sure that they would be happy to accommodate him.

On the issue of hunting rights, yesterday the member for Porter Creek East stated that he did not understand why the CYI could not support his government with respect to the issue of non-resident native hunting rights — and about time. The simple answer, as the member should be aware, is that the claims agreements signed to date have already established parameters for resolving this issue. Meetings have taken place, progress has been made and a satisfactory, mutually acceptable resolution is expected.

Moreover, as has been made public, the Yukon Indian people, not this government, will have the authority to decide what is done with their share of future wildlife harvests. Clearly, the minister is using scare tactics, which have no basis in reality. Such tactics are extremely divisive and rarely productive.

Yesterday, the member for Porter Creek East made a concerted effort to downgrade the economic importance to all Yukoners of the compensation and related agreements recently achieved by the Council for Yukon Indians. The member not only made a mockery of his leader's position, which is that the claims process is the single most large economic factor facing Yukon, and he also got the facts all wrong. He strongly implied that the compensation would have little effect within the territory.

My information is that, in the first three years, in the first three years alone, the net cash transfers to the Yukon Indian people will be in the neighbourhood of \$100,000,000 and that there is approximately \$70,000,000 — probably more, earmarked for territorial capital works projects such as housing, roads and community infrastructure. Is he and his government prepared to say no to these dollars? One wonders at the member's motives in attempting to downgrade the source of new money which the territory so desperately needs.

I also noted that, yesterday, in his discussion, he expressed a real fondness for fairytales: he talked specifically about Alice in Wonderland. It leads me to wonder who might he be, the demented queen or the mad hatter or, possibly, the white rabbit.

Yesterday, during question period and again today, the government leader said that his government's decision to boycott the land claims process has had no effect on the overall negotiations. I have to take issue with that. There have been no negotiations in the month of January, there have been no negotiations in the month of February, and it is only now, at the end of March, that we finally see the negotiations on track. I am afraid what is happening is that this government has been seduced by their negotiator at the table to call another of his patent bluffs and attempt to bluff the process. Fortunately for all people of Yukon, the federal government seems to be calling that bluff; lay your hand on the table, boys.

The ad campaign that was undertaken by this government is

clearly designed to play on the emotions of the people of Yukon. It is designed to pit natives against whites. It is designed to define along racial lines the people of Yukon. The individual or individuals who were responsible for the launching of this campaign can only be described as the possessors of twisted and demented minds. I would not be surprised if these people are the same people who designed the COPE claim; I would not be surprised if these people are the same people who designed the Tory ad that surfaced in the last election, which many people called outright racism.

I submit that what was intended by the strategist behind the ads was to turn public opinion against the Indian people. If this was the intent of the Tories, then they have failed for, if anything, they have managed to turn public opinion against themselves.

Yukon has made a slow but sure progression toward a non-racist society. We have come a long way from the days of the Society for Northern Land Research. We have come a long way from the days when Yukon experienced organized demonstrations against the introduction of native language programs to the school curriculum.

The recent actions of this government threaten to set Yukon back years in the area of basic human rights. The consequences of this latest political campaign may very well be the division of the people of Yukon; however, I am optimistic that the people of Yukon will not be so easily conned by this government. I believe that the majority of Yukoners want racial harmony here in Yukon. There are many of us, regardless of political stripe, be we Conservative, NDP or Liberal, who want a unified Yukon. We want a Yukon that is built on mutual trust and understanding. We want a Yukon where people have a respect for each other, not a Yukon where the government uses, in the cheapest political method, a minority of its populace for its own selfish, political gains.

22 There are those who want a Yukon where we can live without fear of targetted putrid political campaigns simply because of our colour.

I believe that there are members within the Conservative caucus who have the will to work toward bringing the people of the Yukon together. Unfortunately, they are not being heard. I refuse to believe that the member for Old Crow has willingly agreed to support the anti-Indian campaign undertaken by this government. I repeat, the people of the Yukon do not want a divided Yukon. They do not want separate governments. They do not want separate schools. The people of the Yukon want to live and work together. I say to this government, give them a chance.

**Hon. Mr. Tracey:** I am going to leave the land claims for a few minutes and give my reply to the Speech from the Throne. I am very happy and I express the appreciation of my constituents for the projects that have gone ahead in my constituency in the last four years and especially the projects that will be going ahead this year. We are very happy about the opening of the Pelly School. It is the second school in my constituency and I express appreciation to the government from the people of Pelly Crossing as it was expressed at the actual opening of the school. This year we are also going to put a pool in Pelly Crossing so that the people there have some recreational activity that will be beneficial for them, and I also express their appreciation for that.

Also this year, we are going to put BST on a good portion of the Klondike Highway through the 20 miles that is not done yet to Carmacks, through the communities of Pelly Crossing and Stewart Crossing and other areas of the Klondike Highway, and I am very happy to see that happening. It is something that everyone in the territory, including a great many of the tourists that travel the highway, will be very happy with.

As well, we will be upgrading the Mt. Nanson road this year. The miners have agreed to put a bridge across the creek on the Mt. Nanson road and we will be doing some maintenance work in order to maintain that road for the benefit of future people and for future use by miners and people for recreational activities. I would express the appreciation of the miners, especially in Carmacks, for that.

We will be spending a significant amount of money developing a new territorial park in the Tatchun Frenchman Lake area. I think it will be very beneficial for every person in the Yukon Territory, but especially for my constituency.

We will be stabilizing a great many buildings on the Yukon

River. We have had a make-work project this winter, through the Department of Education, to cut all the logs to stabilize these buildings so that we can maintain them for future generations.

Our tourism seems to be fairly stable. It is about the only stable thing that we have in our economy today and I am happy that it has maintained its stability and I hope to see it increase this year, although that is not likely.

We have some new mineral activity that is taking place within the territory and I am happy to see that happening. I think most of the members of the House are aware of the property which was just recently sold in the Rancheria area. I expect there will be quite a bit of work done on that one.

The member for Klwane mentioned Tarr Inlet. I, too, think that it is well worthwhile for us, as a government, to investigate the possibility of having a port on Tarr Inlet so that we do not have to go through a foreign country in order to get our requirements into or out of the territory.

I think that we have a lot to look forward to in the territory. I know that we have gone through a great many tough times in the past. We have survived them all; we will survive this one and we will be better for it.

I would like to deal with some of the allegations and complaints that were made by members across the floor yesterday and today. I would like to deal, first of all, with the member for Whitehorse North Centre who complained about contracts going out of this territory. I would be very interested in hearing from the member for Whitehorse North Centre just what contracts did go out of the territory by this government. We cannot speak for the federal government. I also should caution the member that there is a Charter of Rights in Canada and that Charter of Rights precludes us from stipulating that it has to be a Yukon company. It also precludes us from stating that just because a company only has an office in the Yukon Territory, that it is not a Yukon company. If it is registered in the territory, I think we would have an awful legal battle trying to say that it is not a Yukon company, if it operates out of the territory as a great many of them do. As much as we would like to restrain our projects to actual Yukon businesses that operate totally within the Yukon Territory, it is not possible for us to do so.

She also remarked about the Yukon Opportunities Plan and the fact that it was restricting people from getting social assistance. I would like to categorically deny that. It is not restraining anyone from getting social assistance. What it has done is provide jobs for some of those people. In fact, since yesterday, when the member for Whitehorse South Centre asked me the question, I have consulted my notes and we have put approximately 20 people to work. We have about ten more that are now being counselled by the counsellor and we have rejected about six people from social assistance and the reason for that is because they refuse to come down and show that they were actually interested in looking for work. If those people are refusing to go to interviews where a job may be available then I think that it is incumbent on us, as the protectors of the public purse, to take some measures. They do not have the right to just get paid by the government for doing nothing.<sup>23</sup> They have an obligation to the taxpayers who are supporting them to try to support themselves.

The member for Whitehorse West said that the land claims talks have been sabotaged in the worst economic times in the territory. That has also been echoed by some of the other members just recently — in the last few minutes, by the member for Campbell. I do not believe it makes any difference whether it has been sabotage now, as they say; it would not make any difference to the economic situation in the territory that we are not sitting at the land claims table; absolutely not. There is no economic benefit that is going to come from the land claims at least until 1985 and most likely 1986. Regardless of whether we are at the table today or not has no economic influence on the territory at this time. In fact, if you really want to get down to the economics of it, they are probably making more money in the territory by the fact that they are still progressing in the land claims, and people such as the Council for Yukon Indians negotiators are still getting paid.

They say that the Conservative Party does not care about the Indian population of this territory. Well, I think we have

demonstrated our care about the Indian people of this territory a great deal. I have heard, constantly, from across the floor, yesterday and today, about the one government system. I would like to ask the members across the floor what party it was in the territory that wanted the one government system, what party that fought for the one government system. Up until two years ago the Indian people wanted the two government system. It was this party that pushed for a one government system. Now the members across the floor are saying that we are sabotaging the one government system. I think we have shown very much where we stand on the one government system.

The member for Whitehorse South Centre said that we support the orderly transfer of land to the Territory. Well that is our position, we want the orderly transfer of land to the territory. I am very glad to hear that he supports it, and his party supports it, because that is what we want. That is why we are not at the table; we want a mechanism to transfer that land to the territory and we are refused that mechanism by the federal government, so I am glad to hear that at least he supports the orderly transfer, regardless of how he thinks we should get it. I suppose he thinks that now while we are in a position of some strength that we should give up that position and negotiate from a position of weakness, but unfortunately, that is not what we are prepared to do. We are in a certain position of strength now; we want those questions answered — those six questions we need answered, and it is not land claims; although it is associated with land claims; it is nothing to do with the actual land claims itself.

The member from across the floor also mentioned the Council for Yukon Indians' participation in the First Ministers Conference and made the allegation that the chairman of the CYI would not attend because he did not agree with our position. The native people who attended for the provinces did not necessarily agree with the provincial position either. They had an opportunity to go there and express their opinion, and I think it was very sad for the native people of the territory that the chairman of the CYI did not also take that opportunity to go there and express the position of the CYI. It was a golden opportunity for him and one that the Indian people should be talking to him about because he turned down an opportunity to let all of Canada know what the CYI position was in Canada.

I would also like to quote from the member across the floor. He says the land claims issue ought to be above political partisanship but obviously it is not. It is obviously an extremely politically sensitive issue and will remain so. Everyone in the House is partisan and we will express our views politically. Then he goes on to say, "Who do the various parties really represent, who are they really speaking to?" Many commentators on the Yukon political scene, as objective as they can be, have clearly identified who the various parties are speaking for. He says that we are speaking for a group of the white people, and by implication of the comments that he made yesterday he implies that he is speaking for the native people. Well I am glad that at last the members across the floor come out and said who they are really speaking for. I am glad they finally admitted who they are speaking for. For two days, yesterday and today, we have heard nothing except them speaking for the Indian people. I am glad they are speaking for the Indian people, but I would like to state that members from this side of the House are speaking for the white people and the Indian people — we speak for everyone — and I think we have demonstrated our position as far as the native people are concerned. We have spent ten years now trying to settle the land claims. We have been involved from day one; we have been the ones who pushed for the one government system. I think we have demonstrated our concern about the Indian land claims and our position on them.

<sup>24</sup> He also said that the question of constitutional rights is enshrined in the Constitution. Yes, it is enshrined; and it is a question, that is what the problem is. It is a question that is enshrined in the Constitution and that question is "existing". What is the meaning of the word "existing"?

If the members across the floor listened to the Minister of Justice a little earlier read out the resolution that we passed in this House previously, they will see that what it says there is "their rights as

common law". Now we are in the process of defining existing aboriginal rights, which means that if any further aboriginal rights are negotiated, then they would be unconstitutional because they are not existing.

So, that was one of the other six questions that we had to answer. We had to have the answer from Ottawa before we can sign a land claims agreement. How can we, in all fairness to the people of the Yukon Territory, and the native people, I might add, sign a land claim agreement when, perhaps, it is unconstitutional? So, that is a question that we had to have answered, along with who is going to pay for it.

The member for Faro says that we are mandated to prevent racial confrontation by settling the land claims. He is suggesting that we settle the land claims even though it may be unfair. I suggest to you that if we were to sign an agreement-in-principle that called for the taxpayers of Canada and the people of Canada and the people of Yukon to give \$183,000,000 and 7,000 square miles of land to the Yukon Indian people, plus a great many other benefits without any benefit arising to the people who are paying the bill, then I think it would be unfair. I think the rest of the people in the territory and the rest of the people of Canada will think it would be unfair.

We want to give the Indian people what their rights under their aboriginal title, but it has to be fair for everybody; everyone has to benefit from it. The burdens cannot be just that we pay and that is it.

The member for Faro was also doing a lot of political posturing regarding the Cyprus Anvil opening and the teachers. I will not go into that because I think it is fairly obvious to everybody what he was trying to do.

The member for Campbell talked of a time of economic possibilities because of the land claims settlement under the one government system. I must reiterate, again, that we were the party who pressed for the one government system, even though the Indian people did not want it. We had to convince them that it was the most beneficial thing for them and they finally accepted it.

He also says that we are bluffing because we walked away from the table. I can assure you that we are not bluffing and we have no intention of walking back to that table until we get some of the answers to those questions that we are asking, because if we do not have answers to those questions, we are not going to be able to settle a fair land claims agreement in the territory. We are not going to, as a party, put a burden on the people of the territory without a benefit also arising to them. So, we are not bluffing and I think that every member on this side of the floor will reiterate that to you.

So, I think there has been a lot of rhetorical comments around the Assembly in the last two days — political posturing — as the member across the floor says, but I think that, really, if we are all honest with one another, if we all look at the situation as it really is, we will agree that the position taken by this government was the only position that this government could take and I expect that the greatest number of the populace out there in the territory agree with us.

Thank you.

**Ms Nukon:** As the Speech has shown, the Yukon government has been very busy in the past winter in their efforts to help the economy. I would like to speak on a few things that are important to my constituents in Old Crow.

There has been a great deal of confusion in Old Crow over the question of the Beaufort Sea oil and gas development. I know that this confusion is not just restricted to Old Crow, but is common right across Canada. People do not know if the Beaufort development will harm the animals or the land of the north. They do not know how it will affect the people of the north. There are people against and there are people in favour of the development. More work is being done that will help us understand what the environmental and social effects of the Beaufort development will be. At present, environmental impact statement groups, the federal government and the Yukon government are all doing research that will help us understand what these effects will be.

Gulf has recently applied for a land use permit from the Department of Indian Affairs and Northern Development for the construction of a deep water port at Stokes Point. DIAND has said

they will probably have an answer for Gulf on their application sometime in April. Some people in Old Crow are questioning whether a port should be built. They fear that it will harm the environment.

What I do know is that the federal government will do all the necessary work before they decide to give the land use permit to Gulf. They will look at the effects of the port on the animals, the land and the people of the north. If they feel that the advantages outweigh the disadvantages, then they will issue the land use permit. If they find the opposite, I am sure that they will not allow the permit. There is little that the Yukon government can do at this point to affect their decision.

There has also been a great deal of confusion over Motion Number 3 that was approved by this House last session. The motion supported a port on the north coast if it were environmentally and socially sound. Some people understood this to mean the Yukon government supported the port regardless of the consequences. Nothing can be further from the truth and I do not really understand the reasons or the people who say the Yukon government wants a port regardless of the amount of damage that may happen to the environment.

The motion was very clear in its support; environmentally and socially sound. It is the federal government that has the authority to allow a port to be built, and they must be satisfied that a project is environmentally and socially sound before they approve Gulf's application. I believe that this is necessary and I ask that the government take the necessary measures to make sure the north is protected from any harmful impacts of development. It appears that there will be development in some areas of the Beaufort and precautions must be taken to prevent negative impacts. This is essential.

In Old Crow, there are those who say that we should not stay with our traditional way of life and we do not need any development in the north. I think that hunting, trapping and fishing is a good way of life but there are many young people who might want to do other jobs. In the past, the traditional way of life was the only way of life for the people of Old Crow. We must keep that way of life today, but we must also provide the opportunity for the young people to choose other jobs if they want to. Not all the young people are being taught how to trap. They want to do something else with their lives. This was made clear to me when I saw the number of young people who filled out the Beaufort survey questionnaire last week. The survey was designed by the Yukon government to find out who wanted to work on the Beaufort Sea if they had the opportunity. Many people from Old Crow filled out the survey and indicated to me that the young people do want to work in jobs other than hunting and trapping. It is my hope that they will be able to have the opportunity to work at other jobs if they want to.

I think that there are going to be a lot of major decisions within the next year that will affect the future of Yukon. These include issues such as the proposed federal placer mining guidelines, the National Energy Board study into NCPC, Gulf's port application for Stokes Point, and the federal government's decision on Cyprus Anvil. It looks like 1983 is going to be an interesting year for all of us in Yukon.

Thank you for this opportunity to speak.

**Mr. Kimmerly:** I have already spoken on the amendment. I was intending to speak about energy and the statements in the Throne Speech on energy; however, I will save that and I am going to again speak about land claims, although very briefly. I will, in all probability, be the last speaker on the issue on this side and I wish to sum up and evaluate, at least from my perspective, some of the statements made in the previous two days.

It has been an important debate. I, for one, am glad that it occurred. At times, language was intemperate and perhaps that is appropriate, as it is such a serious issue, and it is appropriate that the tensions in the community are reflected in this House. I say, from my point of view, the best speech was made by the member for Porter Creek West. Although I believe he was wrong, he spoke sincerely and from his heart, and I appreciated that, as I am sure his constituents also will in the future. Also, I am encouraged by the debate because, especially this afternoon, there is evidence of



various members actually listening to the other points of view and responding to them, as did the two ministers who last spoke. And it is that process, a long-standing parliamentary tradition, that does assist in achieving a consensus in the long run. I wish to answer some of the statements previously made.

First of all, from the Minister of Justice: he said that Yukoners are further ahead than other provinces on the question of aboriginal rights. I agree with that. I think that is a true statement, and my reaction is it is a shame that we are going backwards in time and becoming like the other provinces. If land claims can be settled with the present one government system, with the present inclusion of non-status Indians in the process, it will be the most progressive settlement achieved to date, which is not to say, of course, it will be perfect, but it will be a substantial improvement, which is perhaps all that can be expected in practical terms. I would correct one statement he made. He said the question of non-status people being included was never a problem. I believe that is inaccurate. It has not been a problem in the last several years, although at the very beginning the achievement of one of the first agreements defining beneficiaries was a problem at the time, mainly with the federal government, and it is my understanding that CYI and the Yukon government were substantially on the same side of the issue.

<sup>26</sup> In his next point he talks about constitutional recognition and the debate on November 18, 1981, and the resolution of this House. I appreciated that, especially coming from the Minister of Justice. It is also my opinion that that problem is at the crux of the matter and it is the first fundamental question that many of us, especially the co-founder of the Society for Northern Land Research, are missing. It is unfortunate that the resolution on November 18 included the proviso that aboriginal rights ought to be construed as legal rights cognizable at common law. That position is now obsolete because of the acceptance of existing aboriginal rights into the Constitution of Canada. Some members on the other side still have not accepted that and still do not understand that.

On November 18, 1981 I said, "November 18 will be looked back upon as the beginning of the end for the settlement of land claims. The prediction I make is that if the position of this government does not change, then there will not be a native land claims settlement." I believed that then and I believe it now. Aboriginal rights are different from common law rights. To put it in practical terms as of today, the 24th of March, the negotiation of aboriginal land claims is very, very different from the negotiation of the transfer of the jurisdiction over land from federal to territorial jurisdiction. The Minister of Justice was wrong. He was wrong in law, and the practical effect of the statements he made clearly demonstrates that he has not accepted the real concept of aboriginal rights which we must settle.

The Minister of Health talked about the negotiation of Indian land claims presently and he revealed, I think, very clearly, the position of the government. He said, "We are in a position of some strength now." and they are using their position of some strength in order to achieve something else. He clearly said that the position of strength on the Indian land claims issue is being used to further another ultimately constitutional issue.

I believe, and I said in my previous speech, that the real issue is a constitutional one and the further developments in the years ahead are going to be fundamentally constitutional in nature. He also commented on my comments about who are the political parties, or the various parties, really speaking to — who do they represent — and he made the statement that, by implication, I am saying that I speak for native people. I wish to elaborate on that. I am speaking in support of the claims of the native people, that is absolutely right, and I am proud of doing that and I will continue to do that. I would never presume to be a spokesperson for native people; the CYI is doing that.

There is an attempt to put the CYI and the NDP beside each other and make reference to an improper connection. We could, and we sometimes do, federally and territorially, put the banks and the Liberal Party or the oil companies and the Liberal party, occasionally the banks and the Conservative party, side-by-side and say there is an improper connection. If you look at the professional careers of the various actors, the politicians and the managers in industry and

the banks, it is absolutely clear that it is so. They are not in our party, they are in the other parties. There are obvious connections in similarity of points of view, but it is absolutely improper to put the two side-by-side and say that they are the same.

The CYI does not support any of the positions of the NDP and the NDP do not support all of the positions of the CYI. I, as an individual member, and my party, as a party, and my caucus will decide issues according to our own conscience and on this one we support the concept of aboriginal rights as, by their actions, the Tories are demonstrating that they do not.

<sup>27</sup> In summary, I want to say two things: the government leader has said twice, and another minister has said, that the boycott and the advocacy advertising and the public meetings with the negotiator and some of the political Tory meetings with the negotiator are nothing to do with land claims. That statement is in the category of the statement "on my salary, I cannot afford to run a car". Nobody in the territory believes that. It has everything to do with land claims.

My final point is addressed to the member for Porter Creek West especially, who talked about equality and also mentioned pampering. I would reiterate the comments of my friends from Campbell and from Mayo. I ask you to look at the riding of Porter Creek West and the facilities and economy there and to look at the Whitehorse Indian Village. Is that equality? I ask you to look at the territorial civil service and the number of native people in it and I ask you, is that equality?

**Mr. Speaker:** The hon. member for Kluane now debating will now close debate.

**Mr. Brewster:** Usually, I would not get into this type of debate. I think some of it has been very ridiculous, especially what went on in here yesterday. I agree with my colleague on my left that some of this is good soap opera but, again, does nothing very much at all.

One big reason I got into it is that I resent very, very much anyone saying that I am anti-Indian or any organization that I am around is anti-Indian. In the area of Burwash, I took 30 percent of the vote in a run against two Indian candidates. Now, I could not be very anti-Indian to get in in a situation like that.

I have spent 33 years in Yukon, a lot of this out in the bush and a lot of this was with Indian people; very wonderful people, and I say to the people across there that I probably spent more time and understand Indians more than anybody there, except with the possibility of the young lady on the other side. I make no apologies for being a white man and no Indian should make an apology for being an Indian; they should be proud of it.

I served my country for three and a half years and when I came home the agreement they gave me was that I could settle anywhere in Canada. I chose Yukon. I have been here for 33 years and have raised a family here. She was born and raised here. She is a Yukoner and she is entitled to be here and she is entitled to have a place to live.

There are boys and girls that I worked with for 20-some years who have grown up in minor hockey. They have now grown up and they live in Yukon, they went to school in Yukon. They, like my daughter, had to leave home when they were small and come to Whitehorse to school, just like Indian children do. We are always being charged that Indian children are taken away from their homes; so were our children in many, many places. The territorial government has improved this. We are now building schools in these other places.

These people have grown up. They now have children. Now, are these not Yukoners? We keep saying everything is supposed to be equal. It should be equal. I know people who are four generations in Yukon. Are they not Yukoners? We go on and on and on; the same subject goes on and on every time I come into this House. It is about time this quit and it is about time we got down to looking after the taxpayers of Yukon and get a little bit of business done.

I want a land claims settlement just as much as anyone on that side of the House. I will make you an offer right now. Why do you not put a motion through this House that you will go with us to Ottawa and tell them to look at our six demands. I give you a challenge: why do you not do this? You stand back ...

**Mr. Penikett:** You give us permission and we will do it.

**Mr. Speaker:** Order, please. Order. Kindly address all remarks through the Speaker.

**Mr. Brewster:** Thank you, sir.

I fail to understand, quite frankly, why, in some of these things we are not being supported by you and by the CYI.

**Mr. Penikett:** You will not tell us anything.

**Mr. Speaker:** Order, please. I wonder if hon. members will direct their comments through the Chair, rather than across the floor.

**Mr. Brewster:** I actually fail to understand, in the situation of land management and the game, we are trying to protect not only the people of Yukon, but the Indians, particularly, who will lose a certain percentage of their gain if the Indians from other places outside Yukon are allowed to come into this. I cannot understand why they are not standing up to help us in this situation.

I would like to go on to a few other things. The NDP keeps saying that we do nothing for native people. We have financed three separate schools, yet I hear more from the hon. members over there today say that they do not want separate schools. We have spent \$2,500,000 in Old Crow for a school. This is territorial ground. The Mayo Band is on sewer and water. This is territorial money that was put in there. The Champagne-Aishihik Band could have been on water and sewer with Haines Junction, but they chose not to do it. That project was held up a year trying to convince them to come along. They refused; they now want on it at a great cost to all of us.

We passed legislation on the last day of the last session here so that the Kluane Tribal Council could turn around and have a section of the Kluane Game Preserve. We passed that as that was one of the agreements that was to be signed. We have already given that land away and yet we have got nothing in return. Then they tell us we are not acting in good faith.

Large amounts of money have been spent in the Yukon for alcoholic treatment for both Indians and whites.

The Haines Junction trailer court, 13 acres, took us seven years to get. The big owner there right now is the Champagne-Aishihik Band which has the bulk of the land and has a trailer rental court going. Nobody objected to this. They came in and bought our property and there were no arguments from anybody. They are entitled to buy, the same as anyone else.

They keep saying to us, trust the federal government. Well, I can tell you a little story about the federal government. I have been here 33 years. The Veterans Affairs said that I was entitled to three acres of land. Five years later the Veterans Affairs got me 2.6 acres, with a promise that I would get 60 acres later. This was a settlement given to soldiers. This is a settlement like the CYI is asking for. Okay, I do not have the 60 acres today. I stood, two years ago, in front of the Department of Transport, who were surveying and taking my land away from me. They even called the police to drag me off in handcuffs when I refused to go, and you ask me to trust that type of government. You actually ask me to trust that type of government. No sir, no way.

We are being charged with stalling land claims. In 1978, the CYI held out for a year. I did not hear anyone hollering and screaming when they went out to change their position and think things over. It is always this government that is wrong, it is always this government. I have not heard anything constructive from the other side.

You mention that you do not have any information. I would say, sirs, in all respect to the opposition, that you have much more information than the people in the House of Commons in Ottawa, who govern and control and who will have to vote on this land claim before it is passed through to us.

The hon. member for Mayo has stated that we want reserves. I will have to repeat what my minister has said before that we were the ones who asked for a one government system and I certainly cannot see that we turned around and asked to put anyone on reserves. Another mention was made of running a car; someone cannot afford it. I can tell you, from my own information, I have done 30,000 miles and my Chevette will not make the turn and I will be buying a new car at \$7,000 so if you think there is money in

this game you had better think differently.

They talk about equality. They compare the place where the natives live in Whitehorse with Porter Creek. Let me point something out; the Porter Creek area is built and maintained by the territorial government. Where the Indians are living is maintained by the federal government, and that is what we are trying to tell you; get rid of the federal government and come under the territorial, and we will look after these things.

Thank you.

*Motion agreed to*

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

## GOVERNMENT BILLS AND ORDERS

### Bill Number 2: Second Reading

**Mr. Clerk:** Second reading, Bill Number 2, standing in the name of the hon. Mr. Pearson.

**Hon. Mr. Pearson:** I move, seconded by the hon. Minister of Municipal and Community Affairs, that Bill Number 2, *Interim Supply Appropriation Act, 1983-84*, be now read a second time.

**Mr. Speaker:** It has been moved by the hon. government leader, seconded by the hon. Minister of Municipal and Community Affairs, that Bill Number 2 be now read a second time.

**Hon. Mr. Pearson:** There is not much one can say on the principle on an interim supply appropriation act. The bill is designed specifically to allow the Government of Yukon to operate during the first month of the new fiscal year, which begins at April 1, 1983. It will allow us to give proper consideration to the budget that we anticipate putting before the House in early April.

**Mr. Penikett:** The government leader has said that there is not much you can say about this bill at second reading and I guess he has said it all. I would indicate, though, that our critics will have some specific questions in committee stage on the particulars.

*Motion agreed to*

### Bill Number 3: Second Reading

**Mr. Clerk:** Second reading, Bill Number 3, standing in the name of the hon. Mr. Pearson.

**Hon. Mr. Pearson:** I move, seconded by the hon. Minister of Education, that Bill Number 3, *Fourth Appropriation Act, 1982-83*, be now read a second time.

**Mr. Speaker:** It has been moved by the hon. government leader, seconded by the hon. Minister of Education, that Bill Number 3 be now read a second time.

**Hon. Mr. Pearson:** This will be the second set of supplementary estimates for the fiscal year 1982/83. They will not, of course, be the final set. We will not be able to table them until after we are in receipt of the auditor's report for the year. It is apparent to us, at this point, that we will require additional funds in the case of some of our program expenditures. I would think that the highlights that I should point out at second reading are with respect to the Department of Education. There is some considerable amount greater than anticipated for utility costs at the beginning of the year, and also \$1,000,000 in Education with respect to employment bridging that was not foreseen at the beginning of the fiscal year.

In Health and Human Resources, an expenditure of \$628,000, primarily with respect to the base amount with respect to the payments that we make for the Yukon Health Care Insurance scheme, and increased outpatient rates for the Yukon Health Care Insurance scheme amounted to \$121,000. With respect to Economic Development and Intergovernmental Relations there is an expenditure of \$180,000 that is 100 percent recoverable from the federal government. The member for Mayo was asking questions yesterday about the specific surveys that are being carried on with some of this money.

In Justice, there is some \$495,000 with respect particularly to the Police Services Agreement and the Native Special Constable Program. In Highways and Transportation, we found it necessary to renegotiate the Eagle Plains Lodge contract and we also found it necessary to pay some damages that we were required to pay as a

result of closings of the Dempster Highway, and there is about \$500,000 involved there.

<sup>29</sup> In renewable resources, our share of increased requirements for the YTG portion of various wildlife studies amounts to something just in excess of a quarter of a million dollars. Now, we have tabled for members' edification, detailed supplementary estimates that will be required, and I am confident that my colleagues will be able to answer any of the questions that honourable members opposite might have when we do get to the detail in committee.

*Motion agreed to*

**Hon. Mr. Lang:** I would move that Mr. Speaker do now leave the Chair and the House resolve into the Committee of the Whole, seconded by the Minister of Education.

**Mr. Speaker:** It has been moved by the honourable Minister of Municipal and Community Affairs, seconded by the honourable Minister of Education, that the House do now resolve into Committee of the Whole. *Motion agreed to*

### COMMITTEE OF THE WHOLE

**Mr. Chairman:** I call the Committee of the Whole to order. We will have a short break, after which we will proceed with bill number two.

*Recess*

<sup>30</sup> **Mr. Chairman:** I will now call the Committee of the Whole to order. We are now on bill number 2.

*On Bill No. 2*

*On Clause 1*

**Hon. Mr. Lang:** As the Government Leader indicated, bill number 2 is a bill for interim supply. Until such time as the budget is presented to the House, the Legislature cannot deliberate and, upon passage of the budget, we will have the necessary money to run the government in 1983-84. This is necessary due to the fact that April 1st is coming and, if we do not have a bill passed at this time there will be no money appropriated for the purposes of paying the public service and the various bills outstanding over the course of the month of April. I guess there is not much else to add. I think it is fairly clear and straightforward. I leave it to committee.

**Mr. Penikett:** We used to have other reasons to look forward to April 1st; there used to be an entire caucus in this House who had birthdays on April 1st, all of them, but they are not here anymore so we will not be able to celebrate that event this year. That is really true; there was a whole caucus in here who had their birthdate on April 1st — two of them, both had birthdays on April 1st.

You can see I am stretching a little bit to find something to say about this bill. I do observe, having done the calculations, that if this is a one-twelfth sub, the budget this year will be approximately one hundred and forty-two million dollars, which is up 21.5 percent from the one hundred and sixteen million dollar budget of last year. The major beneficiary of such an increase, were this a one-twelfth sub, I notice, would be the Department of municipal and Community Affairs, which spent, last year, \$6.2 million and budgeted in this supplementary, \$1.59 million, which I multiply by 12 and come out with a total then of \$19.8 million. This is more than a 300 percent increase, year to year, which indicates the continually increasing clout of the Minister of Municipal and Community Affairs inside the cabinet and the Government of the Yukon. Perhaps the minister might care to confirm to me whether in fact that is the case?

**Hon. Mr. Lang:** To begin with, I would be the last one to argue with the member opposite in respect to the political clout of the Department of Municipal Affairs and the work that goes with it. I should point out, to clarify it for the member opposite, that this is not one-twelfth of the budget; it is what we have estimated for the month of April with outstanding bills that are going to be coming in that require payment during that month. And if we go beyond the end of April, we will require another appropriation for the purposes

of deferring the cost of the public service. I would point out to the member opposite, I am impressed with his mathematics and I am intrigued with the fact that he could multiply by 12 and come up with a sum of 141 million. I would say this: I only wish —

**Mr. Penikett:** Just to pursue that note, entirely seriously: it is indicated that that department, for example, Municipal and Community Affairs, has a disproportionate amount, as compared to last year's budget for this one-month period. There is no other department, with these multiples of 12, that is so endowed. The Department of Education would have a slight increase on that basis, as would Highways. But most of the other departments, if you do the 12-multiple, are very much in line with last year's budget.

As an entirely serious question, could the minister indicate if the disproportionate amount for the Department of Municipal and Community Affairs is a function of the seasonal expenditures that it would normally make in April or is it because of some job creation initiatives and so forth that are going on in that department that happen to be being started in the month of April?

**Hon. Mr. Lang:** I am going to have to go on memory, but I think one of the major requirements is the transfer of payments to the communities, in respect to the operation of the municipalities. I believe that is one aspect of it. Also I should point out that the Department of Municipal Affairs' budget will be coming down in the next couple of weeks and we can clearly delineate where the monies are being spent.

*Clause 1 agreed to*

*On Schedule A*

*On Yukon Legislative Assembly*

*Yukon Legislative Assembly in the amount of \$104,000 agreed to*

<sup>31</sup>

*On Executive Council Office*

*Executive Council Office in the amount of \$132,000 agreed to*

*On Department of Education, Recreation and Manpower*

*Department of Education, Recreation and Manpower in the amount of \$452,000 agreed to*

*On Department of Consumer and Corporate Affairs*

*Department of Consumer and Corporate Affairs in the amount of \$101,000 agreed to*

*On Department of Health and Human Resources*

*Department of Health and Human Resources in the amount of \$2,220,000 agreed to*

*On Department of Municipal and Community Affairs*

*Department of Municipal and Community Affairs in the amount of \$1,590,000 agreed to*

*On Department of Economic Development and Intergovernmental Relations*

*Department of Economic Development and Intergovernmental Relations in the amount of \$156,000 agreed to*

*On Department of Justice*

*Department of Justice in the amount of \$877,000 agreed to*

*On Department of Highways and Transportation*

*Department of Highways and Transportation in the amount of \$2,371,000 agreed to*

*On Public Service Commission*

*Public Service Commission in the amount of \$99,000 agreed to*

*On Department of Finance*

*Department of Finance in the amount of \$310,000 agreed to*

*On Department of Tourism, Heritage and Cultural Resources*

*Department of Tourism, Heritage and Cultural Resources in the amount of \$230,000 agreed to*

*On Department of Renewable Resources  
Department of Renewable Resources in the amount of \$459,000  
agreed to*

*On Department of Government Services  
Department of Government Services in the amount of \$574,000  
agreed to*

*On Yukon Housing Corporation  
Yukon Housing Corporation in the amount of \$124,000 agreed to*

*Total of \$11,799,000 agreed to  
Schedule A agreed to*

*On Clause 2  
Clause 2 agreed to  
On Clause 3  
Clause 3 agreed to  
On Title  
Title agreed to*

**Hon. Mr. Lang:** I move, that Mr. Chairman do now report Bill Number 2, without amendment.  
*Motion agreed to*

**Hon. Mr. Lang:** I would like to indicate to the House the order of business for next week. Basically, what we intend to be going forward with would be the *Fourth Appropriation Act* in committee. On Monday we expect to be giving second reading to *An Act to Amend the Territorial Court Act*.

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

*Mr. Speaker resumes the Chair*

**Mr. Speaker:** I will now call the House to order.  
May we have a report from the chairman of committees?

**Mr. Philipsen:** The Committee of the Whole has considered bill number 2, *The Interim Supply Appropriation Act, 1983-84*, and directed me to report the same without amendment.

**Mr. Speaker:** You have heard the report of the chairman of committees. Are you agreed?

**Some Members:** Agreed

**Mr. Speaker:** May I have your further pleasure?

**Hon. Mrs. Firth:** I move, seconded by the hon. member for Old Crow, that the House do now adjourn.

**Mr. Speaker:** It has been moved by the hon. Minister of Education, seconded by the hon. member for Old Crow, that we do now adjourn.

*Motion agreed to*

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

*The House adjourned at 5:10 p.m.*

The following Legislative Returns were tabled March 24, 1983

83-3-9

Child Welfare complaints, (Tracey), W.Q. No. 5, 2nd Session; W.Q. No. 1, 3rd Session

83-3-10

Staffing in Dept. of renewable resources, (Tracey), W.Q. No. 6, 2nd Session

83-3-11

Welfare Fraud Policy, (Tracey), W.Q. No. 11, 2nd Session; W.Q. No. 3, 3rd Session

83-3-12

Trapline and fur harvest records, (Tracey), W.Q. No. 12, 2nd Session

83-3-13

Costs of hospitalization for mental health, (Tracey), W.Q. No. 17, 2nd Session; W.Q. No. 2, 3rd Session

83-3-14

Staffing within Dept. of Health & Human Resources, (Tracey), W.Q. No. 26, 2nd Session

The following Sessional Papers were tabled March 24, 1983:

83-3-4

Yukoners deserve a fair deal - A Land Claims Information Package (Pearson)

83-3-5

First Report of the Standing Committee on Statutory Instruments (Brewster)

83-3-6

First report of the Standing Committee on Rules, Elections & Privileges (Lang)