



The Yukon Legislative Assembly

Number 17

3rd Session

25th Legislature

HANSARD

Monday, April 25, 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**
Monday, April 25, 1983 — 1:30

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 DOCUMENTS

Hon. Mr. Pearson: I have for tabling the answers to written questions seven, eight and nine, dated April 20, 1983 from the leader of the opposition.

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

Reports of committees?
 Petitions?

PETITIONS

Mr. Kimmerly: I would table a petition with 76 signatures on the subject of the *Children's Act*.

Mr. Speaker: Are there any further petitions?
 Introduction of bills?

INTRODUCTION OF BILLS

Hon. Mrs. Firth: I move that Bill No. 10, *An Act to Amend the School Act* be now introduced and read a first time.

Mr. Speaker: It has been moved by the hon. Minister of Education that *An Act to Amend the School Act* be now introduced and read a first time.

Motion agreed to

Mr. Penikett: I would move that *An Act to Provide for Freedom of Information* be now introduced and read a first time.

Mr. Speaker: It has been moved by the hon. leader of the opposition that an act entitled *An Act to Provide for Freedom of Information* be now introduced and read a first time.

Motion agreed to

⁰² **Mr. Speaker:** Are there any further bills?
 Notices of motion for the production of papers?
 Notices of motion?
 Are there any statements by ministers?

STATEMENTS BY MINISTERS

Hon. Mrs. Firth: I am pleased to announce that the Government of Yukon will again fund the Special Employment Assistance Program for students during the summer months of 1983. This program, which is designed to support summer jobs for Yukon students, enjoyed outstanding success in 1982 by providing employment assistance for over 150 students throughout Yukon. This year, we are increasing the funding from \$200,000 to \$250,000. This sum will provide the financial support necessary for the creation of approximately 200 student jobs.

I am confident that initiatives developed by private industry, community-based organizations, native bands, municipalities and local improvement districts will again make this program a resounding success by providing work opportunities for our students.

As of today, the officials in advanced education and manpower are available to receive applications for this program, which will be advertised in the local media.

Thank you.

Mr. Byblow: Intending to be as brief as the minister, I want to say, from this side, that we welcome this measure to assist students in locating work this summer. Where, in some instances, summer jobs for students are their first real experience in the labour market, this is an encouraging move. At the same time, when jobs are very scarce, job security is threatened, any assistance to students locating employment ought to be encouraged.

Particularly pleasing to say is that the program includes the opportunity for community-based organizations to apply for funding. This would allow projects to go ahead in communities which may otherwise not get funded or go ahead.

I would probably say in closing that I hope this government will be as generous and forthright in assisting the unemployed from my community to find work within Yukon.

QUESTION PERIOD

Question re: *The Children's Act*

Mr. Penikett: I have a question for the government leader. One week ago the government leader indicated that he felt there was no need for a select committee to study Bill 8, *The Children's Act*. Given that widespread public opposition to certain controversial sections of the bill is now very evident, has the government leader reviewed his decision not to send the bill to a select committee to receive public input on its provisions?

Hon. Mr. Pearson: We have reviewed our position, and the bill is in the Legislature now, and I anticipate that it is going to follow its normal course in this Legislature.

Mr. Penikett: Given the extraordinary powers assigned to the director of child welfare in the bill, and given its serious implications both to the justice system and to the rights of parents and families, what expert advice if any, will be provided to the Legislature in the course of its deliberations on this act?

Hon. Mr. Pearson: I am not prepared to debate the bill at this point.

Mr. Penikett: I did not wish to debate the bill right now but I did wish to ask something about the procedures on its deliberations. The government leader has previously said that the bill must be given speedy passage in anticipation of the federal act, the *Young Offenders Act*, for this fall. Considering that the section related to the *Young Offenders Act* could be removed from the bill and considered separately, and considering that the *Young Offenders Act* is not likely to be in effect this fall, and considering that there is ample time between now and this fall for another legislative session, will the government leader now concede that this is not sufficient reason for this government to try and rush the bill through the Legislature this session?

Hon. Mr. Pearson: We are not trying to rush the bill through the Legislature at all.

Question re: Employment of Faro residents

Mr. Byblow: My question is to the government leader on a different topic. As we are now aware, approximately 210 people will be finding work on the waste stripping program at Faro and, consequently, many families are now considering leaving the territory. In view of the government leader's expressed determination to keep people within Yukon, has this government considered the establishment of a task force to investigate alternatives to an exodus for the many people of Faro who will not find work on the announced stripping program?

Hon. Mr. Pearson: As the member must surely be aware, we have been involved for some considerable time with the federal government in a number of programs. We have people seconded from one department of the government to another department just to try to make sure that we are taking advantage of all the programs that we can be involved in.

Respectfully, I do not believe that a task force established by the government is going to be able to accomplish very much more. It is a responsibility of private enterprise in the territory, and of people, to find jobs. We cannot create all of the jobs in the territory. We, as a government, have tried to maintain our staff establishment at its current levels and are being criticized by the opposition, to some

degree, for that now. Some members of the opposition have suggested that we should be laying off half of them. We do not intend to do that; we are going to try to keep the jobs going.

I believe that that is a legitimate government function, but not to go out and just create other jobs just for the sake of creating them. We are involved in job creation programs, and we will continue to be, in every area that we can possibly be.

Mr. Byblow: I appreciate the government leader's response. He does invite debate, but I will move to a specific question.

It is my understanding that this government does not intend to offer heavy duty equipment operator courses this season or the next season and that, indeed, the vocational school equipment is ...

Mr. Speaker: Order, please. I believe the hon. member is now making a speech. Get to the question, please.

Mr. Byblow: Yes, certainly.

In light of the fact that the course is not proceeding and that the equipment is being put in storage, can the government leader or the minister responsible confirm whether this is fact?

Hon. Mrs. Firth: The heavy duty equipment course will not be offered this year. I am sure, if the member has done his homework, he is aware of the fact that we are dependent upon the federal government, the CEIC, to purchase seats for this program and, because of the extreme cost of the seats — I believe it is approximately \$185 to \$187 per day for the heavy duty equipment course — the federal government would not purchase the seats. We, as a territorial government, cannot fulfill that commitment financially and we will be supplying the course next year.

Mr. Byblow: The member has done his homework and now calls on the government to do its homework. Would this government consider, or be prepared to consider, a special program of on-the-job training and work on the Faro access road, utilizing the equipment in storage and the programs that are not proceeding?

Mr. Speaker: Is this a question or a representation?

Mr. Byblow: More succinctly, I will ask the government leader or the minister whether it is now considering a program of on-the-job training and courses related to the use of the equipment in storage to be applied in the instance of the Faro access road project?

Hon. Mrs. Firth: The equipment is not in storage; the equipment is being utilized by the Department of Highways.

Question re: *The Children's Act*

Mr. Kimmerly: The government leader stated last Thursday that the federal government required this Legislature to pass the *Children's Act* before October. What federal/territorial negotiations have occurred with regard to this act?

Hon. Mr. Tracey: Seeing that this is my Legislation, I will answer that question. There has been a great deal of negotiation with the federal government with regard to the *Young Offenders Act*. The federal government has sent us a letter stating unequivocally that they will be bringing in the *Young Offenders Act* as of October 1, 1983, and we are also required, under the *Young Offenders Act*, to provide certain programs — more specifically the Diversion Council Committee for one — that we have to have in place by October 1, 1983, which requires us to pass our legislation in order to bring it into effect.

Mr. Kimmerly: Were the principles and sections contained in the present *Children's Act* discussed with any federal officials whatsoever?

Hon. Mr. Tracey: I think the member across the floor has everything mixed up. The federal government passed the law that required certain things to be done and it requires us, or the provinces, to do them. We bring in our own legislation to do them. We do not have to negotiate with the federal government to do it. They bring out in their law what has to be done and we provide that service.

Mr. Kimmerly: The representative of the Canadian Attorney General in Yukon stated an hour ago that he had no prior knowledge of the bill and, in fact, the bill...

Mr. Speaker: Order, please. I believe the hon. member is now making a speech. Would the hon. member please get to his question.

Mr. Kimmerly: Is the minister aware of the view of the repre-

sentative of the Attorney General of Canada in the Yukon with regard to the *Children's Act*?

Hon. Mr. Tracey: No, I am not aware of it, but that is irrelevant. This is our legislation that we will be required under the *Young Offenders Act* to have in place. We are putting it in place and it is not required of us that we get approval from the Attorney General's representative in Yukon. This is our Yukon legislation.

Question re: *The Children's Act*

Mrs. Joe: I have a question for the minister of Health and Human Resources.

Could the minister tell this House how many briefs this government received in preparation for the new *Children's Act*?

Hon. Mr. Tracey: I do not know how many briefs; I do not have that figure.

Mrs. Joe: Could the minister tell this House if the recommendations from the Indian organizations were given serious consideration during the preparation of *The Children's Act*?

Hon. Mr. Tracey: Mr. Speaker, I would like a ruling from you. First of all, we have this legislation tabled in the House and we will be debating it at length later on. I would like a ruling from you whether these questions are in fact according to the rules, but I will answer that question. Yes, they were given a great deal of consideration, and yes many of them were answered in the act.

Mr. Penikett: On the same point of order, if I may?

Mr. Speaker: Proceed.

Mr. Penikett: It is my understanding, according to our rules, that such points of order as the minister has just suggested are to be entertained at the conclusion of Question Period, one; and two, I would make the point that questions about the procedures of the House are in order because it is not the substance of the bill.

Speaker's Ruling

Mr. Speaker: I would draw the attention of the House to annotation 539 of *Beauchesne* which states in 12, "Questions should not anticipate a debate scheduled for the day, but should be reserved for the debate" and Bill No. 8 is on the Order Paper, but it is a very grey area. Members should in fact save their comments and questions for the debate, which no doubt will ensue at second reading, as is indicated on the Order Paper.

Mrs. Joe: Final supplementary: did the minister personally view all the briefs or were they only considered by the consultant and departmental officials involved in drafting the bill?

Hon. Mr. Tracey: Mr. Speaker, I did not get a firm ruling from you so I do not know whether I should answer these or leave them for the debate that will come later. However, I did see most of those myself. I read them, they were passed to my department and my department discussed them and I in fact had the representative of the native people, the CYI, in my office, and discussed their concerns with them. We told them at that time that most of their concerns were addressed in the bill but they would have to wait to see the bill. I think the CYI announced at noon today that it is in favour of the bill.

Question re: Agriculture policy

Mr. McDonald: I have a question for the minister responsible for agriculture.

Can the minister tell the House what on-going arrangements have been made to extract federal expertise in the development of an agricultural policy for Yukon?

Hon. Mr. Lang: All I know, at the federal level, was that there was a contract employee who was on with the Government of Canada, and who worked with the Government of Yukon on the question of land and the possibility of land transfer. We are very pleased with Agriculture Canada, which has put a soil pedologist in the territory. This person is working in the area of Renewable Resources, but we also utilize his services, when necessary. In respect to further expertise, we are in the process of advertising for it.

Mr. McDonald: I have a short first supplementary.

Can the minister assure the House that the existing agriculture policy is acceptable and sufficient to transfer federal lands for

agricultural pursuits?

Hon. Mr. Lang: I have not heard anything to the contrary, so I have to assume that it is. Perhaps the member opposite has some comments on it.

Mr. McDonald: I certainly do; at another time, perhaps.

Last week, I asked the minister if there was any documented agreement that federal lands will be transferred to the territory for agricultural pursuits after land claims. Does such a documented agreement exist and, if so, will the minister table it in the House?

Hon. Mr. Lang: If I recall correctly, I responded to the question last week, indicating that it was my thought that there was nothing in writing from the minister. I am having my officials presently check that out and I will be prepared to investigate whether or not we do have correspondence.

I took the Minister of Indian Affairs at his word. Perhaps, I should not have, if that is what the member opposite is saying; perhaps I should send a letter asking for confirmation.

Question re: Banking facilities in rural locations

Mr. Penikett: To change the topic slightly, I have a question for the government leader, in follow-up to a question I addressed to the acting government leader on March 30th.

Last fall, the government leader indicated that the provision of rural banking services had been criteria used in the selection of the Yukon government's banker. Has the Cabinet considered making the availability of rural mortgage lending services a similar priority when evaluating banking contract proposals?

Hon. Mr. Pearson: We have dealt with the banks on this issue in the past and I anticipate that it is something that we have to keep upfront with them at all times. Certainly, in any future evaluations, I believe that it would be a factor that we would have as one of the high priorities.

Mr. Penikett: I am pleased to hear that assurance from the government leader — that that will be a subject of the negotiations. Can the government leader indicate to the House if his officials in the Department of Finance or, perhaps, Municipal Affairs, which might have an interest, taken any kind of assessment of the extent of the problem in rural Yukon on this subject, particularly as it influences the construction of private homes?

Hon. Mr. Pearson: It is a problem that we recognize but it is also very difficult to deal with. The banks are private enterprise and they choose where they want to do business. They have rules made in their head offices that they have to adhere to as well. We have lobbied the banks in the past with respect to rural mortgages and the financing of housing in rural areas and I assure you that we will continue to in the future.

Mr. Penikett: The government leader will, of course, understand that rules made in Toronto are not always applicable in Yukon. Could the government leader, as a matter of record, advise the House when the government's banking contract will next come up for review?

Hon. Mr. Pearson: I am not absolutely certain. I believe that it ends at the end of a fiscal year, but exactly which one I am not sure.

Question re: Tourism promotion conference

Mr. Byblow: I have a question I will direct to the Minister of Tourism. The minister attended a tourism promotional conference in Seattle last week and while the minister may wish to advise on the success of her trip, I have a more specific and much easier question: how did the conference actually support or complement the tourism marketing policy of this government?

Hon. Mrs. Firth: The City of Seattle has been promoting tourism in the Yukon Territory for some years, I believe, by establishing information centres and given people, in Seattle and other states, particularly the Pacific Coast states of California, Oregon and Washington, information regarding Yukon: how to get here, what there is to see here. The purpose of my journey to Seattle was to indicate to the people of Seattle that we recognize the contribution they are making towards promoting tourism in Yukon and to thank them for it.

Mr. Byblow: I assume from the answer that this government

does have a tourism marketing policy. A Yukon tourism conference is being held in Dawson next week, at which serious questions will arise about this government's development policy. Is it the intention of the minister to reveal this government's policy for tourism development in Yukon shortly? It would be a policy that no doubt would have been advanced in the tourism agreement that we understand is already signed.

Hon. Mrs. Firth: There are a couple of areas where the member is a little confused. The tourism sub-agreement is not already signed. The sub-agreement that affects tourism within the whole economic development agreement has been negotiated, however, it will not be signed until the whole economic development agreement is signed.

As far as the development strategy, I am sure we will be discussing more about that in the budget debates when the opposition sees fit to arrive at the tourism portion of the budget.

Mr. Byblow: I shall not make a speech to that. Not intending to ask this government to speak on behalf of a senior government, but since the federal minister responsible for tourism will be addressing the conference in Dawson next week, again I would like to ask the minister if it is her intention to reveal the details of development policy under that agreement before that conference, or at that conference?

Hon. Mrs. Firth: No, we will not, because that agreement will not have been signed at that time. In the event that the Minister of Tourism, federally, the hon. William Rompkey and I get together and come to some other arrangement, perhaps that would be an announcement, but there have been no commitments.

Question re: The Children's Act

Mr. Kimmerly: I have a question about the procedure under *The Children's Act*. We were promised an opportunity to debate *The Children's Act* today. Why was it recently cancelled?

Hon. Mr. Lang: In my capacity as House leader, I indicated on Thursday that tentatively it was scheduled for debate today, if the member opposite reads the *Hansard*. Since that time, there has been a number of people making representation asking us to delay second reading of the bill. As the minister in charge has indicated that it is not the intention of this side of the House to rush that particular piece of legislation through, we have complied with that and the members opposite will be duly notified when it is our intention to have second reading.

Mr. Kimmerly: Is it the government policy that the young offenders sections of the bill are severable from the bill in order to allow further input on the major part of the bill?

Hon. Mr. Pearson: No.

Mr. Kimmerly: Is the minister aware of any legal opinions on the severability point?

Mr. Speaker: I think the question respecting legal opinions would be out of order.

Mr. Penikett: The member for Whitehorse South Centre, with respect, did not ask for a legal opinion; he asked the minister if he was aware of any. In essence, was he in possession of any, in respect to this matter, which I submit is perfectly in order.

Mr. Speaker: The Chair does not have a rewrite of the question but as the Chair heard it the question asked of government was whether government had a legal opinion. I would consider that that question would be out of order. Is the hon. member now rising on a point of order?

Mr. Kimmerly: I wonder if the minister would answer the proper question. Is he aware of any legal opinion?

Mr. Speaker: I will permit the minister to answer that.

Hon. Mr. Pearson: We have two lawyers who were involved in drafting this from day one. I guess we have a legal opinion.

Question re: Children apprehended

Mrs. Joe: I have a written question for the Minister of Health and Human Resources. Could the minister inform this House: (1) How many children were apprehended by his department in 1982; (2) How many Indian children apprehended were placed in Indian foster homes; (3) How many parents of apprehended children were provided with legal counsel; (4) How many Indian children were adopted by

families resident outside of the Yukon; and (5) How many children were apprehended on the order of a justice of the peace?

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Question re: *Public Sector Compensation Restraint (Yukon) Act*

Mr. McDonald: I have a question for the government leader. Since the passage of the *Public Sector Compensation Restraint (Yukon) Act*, Bill 17, last December, various public groups have expressed some displeasure at its provisions. Has the government received or solicited any briefs from persons or groups affected by the bill?

Hon. Mr. Lang: On a point of order. I believe that is on the Order Paper for debate today and, under our rules, it states very clearly that a question is out of order if a debate is scheduled for that day on the same subject matter.

Mr. McDonald: On the same point of order. The question clearly defines that it is properly within the bounds of Question Period regarding this act, because I have asked the government leader for the process that was reached on Bill 17; the bill that was passed last December and not the proposed amendments which the government tabled last Thursday.

Mr. Speaker: Order, please. Is the hon. member asking questions related to Bill Number 9, as on the order paper?

Mr. McDonald: No, I was asking about Bill 17, which was introduced and passed in the Assembly last December.

Mr. Speaker: I am afraid that this Assembly knows nothing of a Bill 17. A Bill 17 has not, to the Chair, been as yet introduced.

Mr. McDonald: The Bill 17 that I was referring to was the *Public Sector Compensation Restraint (Yukon) Act*, passed in the Legislature last December.

Mr. Speaker: On the point of order, the hon. minister of Municipal Affairs.

Hon. Mr. Lang: On a point of order: the rules of Question Period states a question is out of order if a debate is scheduled for that day on the same subject matter and that is to question matter that is going to be a question of debate later on during the proceedings of this House today.

Mr. Speaker: The Chair has tried to determine from the member if this is the subject matter, as a matter contained in Bill No. 9. It would appear to the Chair, from listening to both sides of the House, that this is, in fact, the subject matter and, of course, as the hon. minister has pointed out, the question would be out of order and I would accordingly rule as such.

Question re: *The Children's Act*

Mr. Kimmerly: The minister responsible for *The Children's Act* recently stated that the CYI position was in favour of that act. In what form or in what forum did that communication come to the minister?

Hon. Mr. Tracey: The member across the floor is misquoting me. I said that I understood that, as of noon today, the CYI came out in support of our bill.

Mr. Kimmerly: In view of the fact that CYI is not in support of the bill, would the minister care to elaborate on his statement?

Mr. Speaker: Order, please. That question is very broad and, if the minister wishes to answer it, I would ask that he be very brief.

Hon. Mr. Tracey: First of all, I do not know whether the member across the floor is speaking for the CYI or not. I was informed that, on the noon broadcast today, a member of the CYI came out in support of our bill; that is why I said I understood they were in favour of it.

¹² **Mr. Speaker:** There being no further questions, we will proceed at this time to orders of the day under government bills.

ORDERS OF THE DAY

GOVERNMENT BILLS

Bill No. 9: Second Reading

Mr. Clerk: Second reading, Bill No. 9, standing in the name of the hon. Mr. Pearson.

Hon. Mr. Pearson: I move that Bill No. 9, entitled *An Act to Amend the Public Sector Compensation Restraint (Yukon) Act* be now read a second time.

Mr. Speaker: It has been moved by the hon. government leader that Bill No. 9 be now read a second time.

Hon. Mr. Pearson: This legislation that is being tabled today is being tabled to clear up any ambiguities or questions that we can anticipate arising as a result of the legislation and to clear up some questions that did arise in hard fact during the past six months.

The amendments to the bill deal specifically with the question of whether or not all employees of this government, as well as board members of this government, should be covered by the restraint legislation. It was our intention that, in fact, the legislation should cover everyone who receives remuneration from this government and we have made that clear by changing the words "order-in-council employees" to "persons appointed by order-in-council". It then makes it very clear with respect to board members.

We also had a problem with respect to contracts that had already been awarded. Once again, the legislation, although we thought it was clear, makes it clearer now with respect to those contracts that had been awarded and how the legislation applies to them. We want no doubt in anyone's mind; it was our intention that it applied to contracts that had already been signed.

There has been a lot of public discussion about whether or not the legislation should allow employees to negotiate contracts that would allow them to have some of the lower paid employees get more than six percent and some of the higher paid employees get less than six percent. The intention of the legislation was that it was "six-and-five" legislation; that the maximum salary increases allowable, under the legislation, per person was going to be six percent this year, five percent next year, or at whatever timeframe, in the ensuing contracts. We wanted to make that clear and I believe that is clear now.

There were some questions raised about teachers; we anticipate that those have also been cleared up. The other major question was whether or not the legislation was intended to apply to salaries or to all benefits. We make it clear in here that we intended the legislation to apply to salaries and to salaries only. Therefore, it could not be said that someone was going to receive a decrease in salary because, in fact, they were going to get an increase in excess of six percent with respect to fringe benefits.

The other point was the question of whether or not this legislation applied to boards, commissions, LIDs and so on. Once again, we want to make it clear that it is our belief that it was our intention that it should apply to all public servants, no matter whether they be employees of a board or commission of a municipality, or anybody else, or this government. It was the intention of the legislation that it apply to all. Hopefully, we have made that clear as well.

¹³ **Mr. McDonald:** Here we go again. We are debating a bad bill, bad both in principle and, I believe, perhaps even poorly drafted, if the government leader will give us time, and I am sure he will, during committee to elaborate on certain points, which must necessarily be brought out. This bill has been debated, as the government leader suggests, in the streets and in this Legislature. We have talked about the ethics and economics of wage controls without price controls, and the government has obviously demonstrated its bias in this area. We have talked about inflation having little to do with wage demands, and everything to do with high interest rates, and the government has decided that the justice of this is not worth defending. We have talked about government action removing the freedom from free collective bargaining and the government has ignored this, in that they wish to further constrict the collective bargaining process.

I suppose the irony is that I and some of my colleagues have quite wrongfully been accused of wishing to negotiate union collective agreements in this House. We wish to discuss very general areas involving government employees' rights and responsibilities and this government's rights and responsibilities in respect to the collective bargaining process. The same government, which, I believe, wrongfully accused us of bargaining in this House has itself not only bargained by limiting compensation payable to employees but has also bargained by specifically stating how that

compensation is to be paid. There is obviously extremely little room now for unions and municipal councils and LIDs to manoeuvre. I think the comment is obvious that this government is deliberately using this House as leverage at its own collective bargaining table. They have consciously decided to bypass negotiations altogether.

This is quite contrary to the experience that this government has enjoyed with its employees in the past, which has typified, I believe, cooperation and understanding by its employees. There have been no strikes. There has just been discussion, there have just been negotiations, there has just been rational people working at problems together. This track record, for some, might be boring to an observer but it ultimately expects all parties to reach reasonable conclusions and it has been operating this way for years. Without getting into great detail, the government employees of the Yukon government had accepted a nine-day fortnight recently; teachers have accepted and negotiated benefit concessions when they were told that times were tough. When given all the information necessary — and I stress, all the information necessary — to make responsible decisions, people in Yukon have acted responsibly. Nothing in our experience, apart from this government's own act of bad faith bargaining last year — when offers were given and withdrawn at will, and when contracts are quite openly broken now — from government employees suggests the need for such Draconian measures as this. There is nothing in our experience.

And now we have Bill No. 9, soon to be known as the "notorious Bill No. 9". It does a number of things. It prevents bottom loading. Now, what is "bottom loading"? Bottom loading is the distribution of benefits — wages and benefits, compensation package — in a fair manner in accordance with the wishes of the democratically elected representatives of our employees. For an example, I will take two cases: a person who earns \$54,000 a year, which is the experience of at least one of us in this House, and a person who earns \$15,000 a year. The person who earns \$54,000 will be receiving \$3,240 under six percent guidelines, and the person who earns \$15,000 a year gets \$900 — a difference of about \$2,340 to the person who, I would respectfully suggest, does not need it. There is no financial justification for this measure because the total benefit to the government, to the taxpayer, remains the same. It should be a decision made by the democratically elected representatives of our employees.

It does another thing: it breaks collective agreements signed by the government leader himself. The old act did the same thing and we hoped that the government would recognize the error of its ways and perhaps amend the legislation to rectify the situation. Unfortunately, it has not.

In a memorandum to the board of directors of the City of Whitehorse Council, the executive director of the Association of Yukon Communities makes some points which I believe are valid points under the circumstances, and which should be taken into account by this government. For the record, I would like to read in a couple of those points and perhaps explain them for the benefit of the members.

He says, and I quote, "It is proposed that the rate of compensation payable to an employee shall not be increased before January 1st, 1984 by a greater amount than six percent of the wage rate payable to that employee on December 9th, 1982. Rate of compensation is generally interpreted to mean the total wage package, including cash wages and benefits. Wage rate, on the other hand, is generally interpreted to mean the cash wages only. If a municipality has increased the wage rate payable to an employee by six percent, leaving the benefit package untouched, will there have to be wage cuts to compensate for increasing values of benefits?"

I respectfully suggest; yes. He provides some examples, such as: benefits which are entitled to employees accruing from seniority, in that as you increase your seniority you obtain certain benefits which have a monetary value. If these benefits, as a matter of course, for a person of long standing in the public service, receives a compensation package which would be greater than the six percent, then that person may face a wage rollback. This is a very serious problem which unions, or particularly representatives of our employees, are particularly sensitive about, and which, obviously, municipalities

are particularly sensitive about. We have just, with our new legislation today, removed the right of these unions to decide these issues. We have shown great disrespect for the representatives of these employees by suggesting that we shall make these decisions for them; we are bargaining in this House. I think there is absolutely no question about that; and we are bargaining badly. There is an administrative point I would like to bring out at this time, because it could be rather serious; it is suggested and evoked in this same letter. The executive director states, "Bill 9 states that the rate of compensation shall not exceed six percent January 1st, 1984, or five percent before January 1st, 1985".

This could mean that employees receiving six percent before January 1st, 1984 are not entitled to any increase thereafter or that they are free from any further restrictions thereafter or it could mean that a municipality may pay more than six percent in 1983, provided the five percent limit is respected in 1984. It seems to me that there is a great deal of ambiguity here and I do not believe, as the government leader suggests, that this bill has gone to great extent to clear up these ambiguities.

I believe that we will be voting against this bill for a number of reasons. The first is that it shows no respect for our employees. Given their track record over the past; given our track record — and I use "our" advisedly — as an employer, I believe that we should ensure that the collective bargaining process is maintained and not trash the time-honoured practice of collective bargaining.

I believe, also, this bill negotiates certain provisions of the collective agreement in this House and it negotiates them against the wishes of the union through the provision of unfair provisions, in the prevention of bottom loading.

There are a few things that I believe the bill does do. I believe that there is no doubt left about the breaking of existing agreements. I believe there is no doubt left about the six percent being applied equally, but not fairly, and, for that reason, we have to vote against this bill. This is a bad bill; the original was a bad bill and we voted against it.

Mr. Kimmerly: I would like to speak about the general principle of the bill and about the process and the procedure by which this bill comes to us.

This bill is another example of this government refusing to accommodate, to listen to or to negotiate with any party that may express a contrary view. The pattern of this government, as is the pattern of many right-wing governments across the world, is that they are taking more and more power, they are using it in increasingly dictatorial ways, and I use that word advisedly and distinctly. This bill, like the *Territorial Court Act* and like *The Children's Act* is an example where this government is refusing to even negotiate in a sensible way with the parties who may be opposed to a government position. It is intolerable.

The way this bill comes to us is: last year, the government followed the Liberal government's lead in Ottawa and passed "six and five" legislation. The public service union, in response to that, very maturely and very sensibly continued to negotiate within the very narrow boundaries left to it. They made a responsible decision that was at no extra cost to the Yukon taxpayer whatsoever: they would negotiate for bottom loading, or a greater raise for the more poorly paid people and a lesser raise for the highly paid people, a responsible, mature position in the bargaining process.

Bargaining was underway and it broke off because of the position of this government as to the possibility of changing the rules in midstream, which is exactly what this bill does.

The bargaining position of the public servants is made illegal under this legislation. This government is simply unwilling to tolerate any dissent whatsoever. They are increasingly assuming dictatorial powers and we will not stand for it.

Hon. Mr. Lang: I did not intend to rise to speak to the principle of the bill, but I cannot help but put on the record the hypocrisy that was just uttered by the member opposite. When I take a look at what he said in *Hansard*, and via the news media, that his answer to the civil service was to lay them off, and at the same time, he indicated to the general public that he had the full backing of his caucus and it took the leader of the opposition to come back and attempt to clarify the position of the side opposite

with respect to the public service and exactly what the position of the side opposite should be.

It is indeed ironic. I take a look up into that gallery and I see people who I know have not had a job for a number of months — close to a year. The question this House has to ask itself is — as each member of this House has the responsibility of public trust — what is our responsibility as far as the dispensation of public monies is concerned? That is the question. Our legislation is very clear. We have set a ceiling of a maximum that can be negotiated by law. The government leader made that very clear in the introduction to Bill 17 and, again, in the amendments that we have here.

The side opposite talks about limiting compensation; yes, we have a responsibility whether we like it or not. The easiest thing in the world to do is to give, give, give. I ask the member opposite: where is the money going to come from? At the same time, the side opposite stands up and says: look, we want job creation programs. In part, we have complied. We have brought down a budget with very minimal increases, as far as taxation is concerned, yet the side opposite is going to oppose those bills as well.

I say to you, the side opposite should get its act together. We have bargained in good faith. My understanding is that the bargaining committee is prepared to take back to the union membership an agreement that they are prepared to sign. What more can we say?

He talks about dictatorial powers. We did not go ahead with *The Children's Act* today because we have had specific requests to defer second reading. I cannot accept the assumptions being put forward by the member opposite, or the misrepresentations that he is trying to put forward to the general public.

I have to comment on the comments that were made by the member for Mayo; in his full knowledge of bargaining, he happened to be part of what put United Keno Hill out of business for nine months.

Mr. Speaker: Order, please.

Mr. Penikett: We do not mind being entertained now and then by the bit of rhetoric from the member opposite but the privileges of the member for Mayo are at stake when the member is stating inaccuracies with respect to his participation in an industrial dispute. It takes two sides to tango, as the member opposite will probably know.

Mr. Speaker: As the hon. member knows, there is no question of privilege and it is an abuse of the rules of the House to keep raising these things and I have spoken on them many times. A breach of privilege in the House is a very serious affair and ought to be raised if it does occur and they ought not to occur very often. What is taking place is a difference of opinion between two members as to an allegation of fact and this does not constitute either a question of privilege or a point of order.

Hon. Mr. Lang: I may stand corrected and I would be the first to apologize if I was wrong but I have had no one, when in this House or outside the Legislature, say that I am wrong. My understanding is that there was a nine-month strike and the member opposite was somehow involved to some degree; the point being he is putting in this House that, if he was on this side of the House, he would be able to negotiate a settlement much more easily than the Conservative Party. Well, I am saying to him, one has to look at the track record before he is prepared to accept the fact.

With respect to the municipalities and the so-called opinion that was brought forward which is, incidentally, not a legal opinion; the same director of the Association of Yukon Communities brought forward the opinion that the transit commission's workers should not fall under the guidelines that were brought down by this government and, subsequently, the city council followed it. They asked us for clarification; do they or do they not fall under territorial legislation. We made the conscious decision that they should. The reason why being that how can you accept the principle that one part of your work force gets 11 to 14 percent and one side of your bargaining union getting maybe up to a maximum of six percent. We say that is unfair. That is why we are bringing it forward.

With respect to the legislation before us, all members on this side of the House said we would sooner not have to bring forward this

legislation. I recall, when the municipalities voted unanimously, there was going to be a zero percent increase, and they have negotiated recognizing the cost of living and everything else and have had to bring forward some minimal increases. I think they have, in most part, acted responsibly. The point is that, as the senior level of government, we have a responsibility to set a ceiling looking at the economic situation that we face today. It would seem to me that we are taking very good care of our public trust. I believe this bill before you clarifies the intent of the legislation that was brought forward last November.

Mr. Penikett: It is a pleasure to follow the member for Porter Creek East for a change in this debate. He will forgive me if I note, in passing, that he always seems to speak loudest when his position is weakest. There may be more than one member in this House who has that failing but sometimes it is easier to see these faults in other people than it is in ourselves. I share the view of my colleague from Mayo that the legislation we had last year was a bad bill. I share the view that the amendments to that legislation make it worse. The member for Porter Creek East talks about clarifying positions. We would have to work very hard to make the government's position clear across the way.

I want to explain that a little bit further. He talks about negotiations and, in fact, we have a bill here which makes it impossible to negotiate anything. We have a bill here that says that basically every employee shall get a maximum six percent and five percent rather than the issue which was a different one in the last bill which was that they would be assuming six percent on wages this year and five percent on wages next year. A restraint measure which, whatever you may feel about it, still would have allowed, if there was going to be collective bargaining, for some negotiations within the unit about the amount of money that each employee would get and based on the union's representation about the needs of their different members.

¹⁸ The member opposite talks about give, give, give. Well, they have been giving us quite a lot recently; in fact, that seems to be perfectly consistent with the member's view of government, which is that communication and legislation are all in one direction. What we support and what this bill opposes is the notion of negotiation; negotiation of a reciprocal, respectful process between two parties. That is what is abandoned in this legislation.

Last year, we noted that this measure was unfair, because nothing is done in this territory about prices under the government's administration, as it is in some other jurisdictions, according to "six and five". We also said this measure was unnecessary because of the record of responsible bargaining and the reasonable attitude of the public employees of this territory. We emphasize that point again today.

The member for Porter Creek East raised the issue of strikes. Well, it is a very interesting question in respect to negotiating because never in its life, never in its history has it ever gone on strike. It has always been able to negotiate a settlement with this government; it has always been able to strike a reasonable bargain. The settlement might not have been perfectly satisfactory from the point of view of either party, but in fact they did it by talking and they did it by negotiating.

I think that this change in principle, which is introduced in this amendment — the change that it says that each employee is going to get six percent and five percent rather than the total group getting six and five — is unfair. Somehow, the member opposite suggests that an agreement based on that principle has cost the government more money. If you have a wage agreement that calls for six percent of the total wage package this year and five percent next year, it does not cost the government more money if inside that total package there is negotiated a little bit more for those people earning the least and a little bit less for those at the top. That has been done elsewhere and it has been done in such a way that it enhances the job security of the employees; it also has been done in such a way that enhances the purchasing power of those at the bottom, those people who traditionally spend all their income in the community. It has also been done in recognition of the fact that inflation strikes those at the bottom the hardest.

I want to pursue, as I said a minute ago, the question of clarity

raised by the member for Porter Creek East. Last fall when we were debating this measure, we talked about the question of equity and fairness, and this side was challenged by the Minister of Renewable Resources. This side was challenged by the Minister of Renewable Resources, who said to us, "Why don't you get the unions to ask for more for the people at the bottom? Why don't the unions ask more for the people at the bottom? Why don't they ask for across-the-board increases? So the people at the top who don't need it don't get as much but the people at the bottom who really need it do get what they need to keep up with inflation?" Well, the unions have done that this time. The minister does not know it, but they have done it many times before. It is this government and its predecessors that have refused to negotiate on that basis or refused to settle contracts on that basis; not always, but as a rule. It is this government, in direct contradiction of the minister's offer last fall, which is now doing the exact opposite to what he suggests. How is that for clarity, I say to the member for Porter Creek East.

Last fall, I asked the government leader a question about the principle, the old process, the old freedom in this country, the old right of free collective bargaining. The government leader gave his assurance that that freedom would not suffer under his administration. Well, it has suffered considerably under the original bill which we received last fall. Because of the specific restraints applied to each employee in this bill — these amendments to the original bill — it suffers even more.

¹⁹ The fact of the matter is that there is practically nothing left for the employer and the employees to negotiate. There is very little left to bargain, there is very little left of that freedom, and there is very little of that constitutional right of a freedom of assembly and a collective freedom of action of those employees, because of the fact that the government, unilaterally and arbitrarily, is negotiating the particulars of their terms and remuneration. The government is, in fact, dictating the conditions under which its employees shall work for the people of Yukon.

The question was also raised by the member for Porter Creek East — and I am glad he raised it — about the transit workers. Every time Ottawa does something in this territory with which the government opposite disagrees, it screams about the infringement of its jurisdiction, the infringement of its rights, the interference in the interests of the people locally. With this bill, of course, we have a decision by the senior government to dictate terms to the junior governments; to the municipalities.

Potentially, it is even a costly intervention, because I understand the municipality in which we are resident had some kind of agreement with its employees. I understand, that they would get no increase in this year. That is what I was told just yesterday by a very reliable source.

The legislation, of course, that was imposed immediately provided for much more of that and, inevitably, the employees, in such circumstances where their wages are controlled, are going to bargain up to the maximum.

The member opposite also raised, with some delight, it seemed to me, the situation of the Transit Commission. I am afraid he will have to forgive those people who think the question is not as easy as he thinks it is. He will be aware, as I am sure he is, of the court decision in Ottawa, which decided that a transit commission, whose employees were certified under the *Canada Labour Code*, under federal legislation, were not subject to the provincial restraint law. I am sure that he can reasonably expect that this government may now be involved in some costly litigation on that exact point, as it relates to federal legislation, the *Canada Labour Code* and the *Canadian Constitution*.

There is probably not much point in speaking at great length about this measure, because I think we know the government's mind is made up and even if we were to mount here the most persuasive and convincing and rational arguments in the world, the other side would not be persuaded. I think the government leader, who can be a fair-minded man, recognizes what this does to the freedoms and the rights of his own employees. I think he recognized that in his answers to my questions last fall; I think he states his own wish that the rights of these employees would not be interfered with; that they would not suffer. They did suffer by his

hand last fall and they are suffering again today.

I am proud to oppose this measure. I think it is my duty to oppose this measure.

²⁰ **Mr. Speaker:** The hon. government leader, now speaking, will close the debate.

Hon. Mr. Pearson: In closing, I just have to reiterate that contrary to what the leader of the opposition has said, this legislation does not guarantee every public servant a six percent and five percent increase in salary. Contrary to what he has said, it does not close off collective bargaining. It has not changed those principles that we were very careful to protect in the first bill. They have not changed in any way, shape or form at all. The leader of the opposition, leaving that impression, is not doing his job.

We said at the time we tabled this legislation, and passed it, that it was abhorrent; that we did not like it and wished that we did not have to introduce it. However, we did point out that, a short time before we put this legislation into the House, a union — I am confident, with all the best intentions in the world — went to arbitration in Alberta and just happened to get an award of 38 percent. That is not allowed under this legislation because the one thing this legislation says is that an arbitrator cannot grant any more than six percent; it is clear on that point.

It was not that we did not trust our employees. It was not that we did not think that we could negotiate successfully. We have absolutely no control if, for any multitude of reasons, one of our unions wants to go to conciliation or arbitration. They have the legal right to do that. At that point in time, I respectfully suggest to you, we do not have any control. I made it very clear then, and I am making it very clear now, if we were faced with such an award, we would not have the money to pay; we could not pay. Our alternative would be to lay people off. That is what this legislation is all about. You have to look at the alternatives. The alternative to this legislation is massive layoffs in this government.

Motion agreed to

Mr. Speaker: May I have your further pleasure?

Hon. Mr. Lang: I move that Mr. Speaker do now leave the Chair and the House resolve into Committee of the Whole.

Mr. Speaker: It has been moved by the hon. Minister of Municipal and Community Affairs that Mr. Speaker do now leave the Chair and the House resolve into Committee of the Whole.

Motion agreed to

Mr. Speaker leaves the Chair

COMMITTEE OF THE WHOLE

Mr. Chairman: I will now call Committee of the Whole to order. We will take a short break.

Recess

²¹ **Mr. Chairman:** I will now call Committee of the Whole to order.

Bill No. 5: Second Appropriation Act 1983-84

Department of Municipal and Community Affairs — continued

Hon. Mr. Lang: When we left the debate we were discussing agriculture and what our intentions were. As I indicated to the member, both in Question Period and at other times, we do have a policy in place as far as land disposition is concerned. It was unanimously endorsed by the Agriculture and Livestock Association when it was brought forward, so there was a great deal of consultation in this area and I am pleased to report to the House that I have a letter from that particular organization congratulating the government on the steps it has taken to date, which I am sure the member opposite will be very pleased to hear.

On the terms and conditions of land disposal, they are in regulations and it would not be my intention to go through and debate that in its totality. For that matter, on the specifics of the land disposition, I am more than prepared to speak to the member at any other time. He does have other methods through the procedures of the House to see whether or not public scrutiny should come into

certain areas. I defend the member's right to do that.

I think it is safe to say that we are making a significant commitment, as I indicated earlier, with the advent of the soil pedologist from Agriculture Canada and with the principle of trying to recruit some expertise for the people involved. I should point out to the member opposite that I do not know what he was doing for the agriculture industry this past weekend but I spent some considerable time moving bales of hay, and I must say that anybody who gets into this particular activity is asking for a lot of hard work. Therefore, I do not have any other comments to make.

Mr. McDonald: I am glad to see that the minister has conducted a crash course in agriculture over the past weekend, either moving bales of hay or procuring copies of letters which laud his efforts to date. I am pleased to hear that the government is doing something right on the agricultural issue; something that would warrant a letter from the Yukon Livestock and Agricultural Association. The minister suggests that he defends my right to use the avenues of this House to secure some sort of public scrutiny of the activities and distribution and dispersement of agricultural land. As the minister knows, I have made some efforts to that extent already, both through a motion last week, or the week before, and through a written question; and I hope that the minister looks upon these two requests favourably and provides the information that is required.

²² We could talk about public scrutiny a little bit, even within the bounds that the minister has suggested are proper for the time being. There are, however, some questions I would like to pursue because I believe this is an excellent opportunity to do so. For that reason, perhaps we can get down to a couple of points.

In the debate last Thursday, I asked a rather long-winded question on a number of points, which were not answered by the minister because we were running out of time. We left the debate on the point that, perhaps, I should be providing some information to the minister regarding the solving of some very serious problems, one being the problem of what counts as farming pursuits in the territory for the dispersement of land. I am more interested in what the minister has to say because the minister has the responsibility and ultimately the power and authority to do something about it, whereas I merely stand here as an elected member in this House with only the opportunity to question and to query.

What is the minister's position regarding this important question? I asked the minister last week whether farming was a pet horse in the hayfield or whether it was market gardens, or red beef production, or grains, or what? To what extent does a person have to follow a particular agricultural pursuit to count as a farmer? Further to that, what criteria are necessary to qualify for agricultural land? I think these are serious questions and, because we are distributing the Commissioner's land in the territory today, I think it is extremely important. No matter what state of development our agricultural policy is in at the moment, it is extremely important to answer this fundamental question. If the minister could provide the House with some ideas as to what criteria the Agriculture Development Council has recommended and what the government is, in fact, doing regarding this issue, I would be pleased to hear the minister's answer.

²³ **Hon. Mr. Lang:** I think it fairly clear what is expected of people who get land. You have intensive and extensive: the intensive agriculture land is a 20 acre size and would largely comply, I assume, to the situation where if one had a horse and wanted to contain it, or have a market garden. The other is for extensive agriculture lands; a minimum size of 160 acres to begin with, with the possibility of expansion if he or she complies with the basic principle that 80 percent of that land has to be put under cultivation.

I think the question that the member is asking is: what production is deemed to be appropriate in respect to the growing of produce. That is the question we are wrestling with. I do not think we are going to put anything down as firm policy yet because the areas that are being applied for are so different. The question is whether an honest effort has been put forward and if the land has been cultivated to the best of one's ability, with the necessary infrastructure put in place, such as irrigation and so on. Those questions are

being asked on applications: what the intention is to do with the land.

I think the member knows as well as I do that it is strictly at the initial stages and it is an area where we are going to have grow step by step. As time goes on, we will respond to the situation as the success of this particular industry begins to become more apparent.

Mr. McDonald: I understand the points the minister is making and has made over and over again in the past. I understand the need for the evolution of policy. I also understand the need to know what the policy is at any one given time because we are distributing this public resource.

The minister has stated, and I have even quoted from the regulations, that the agriculture policy does count for extensive and intensive farming, which really delineates the size of land for agricultural pursuits, although it does not delineate use. The minister suggested that, perhaps, we may not have a hard and fast policy regarding the growing of a particular crop or the use for a particular agricultural pursuit. Surely, the minister would agree that, perhaps, there should be a stipulation that some portion, some percentage, of income should be received from the pursuits on that land. This would clearly distinguish between those who are using the land for hobby or recreational purposes and those people who want to use the land for the traditional agricultural pursuit, whatever that may be.

I am wondering: has the Agriculture Development Council recommended, or has the minister investigated, making a delineation of that sort — regarding the income from a piece of land — so that we could prevent, possibly, the land being used for what ultimately could be called recreational purposes, albeit that some recreational purposes do involve pets, such as pet horses? Are they investigating some stipulation that some percentage of income should be derived from the land and if so, what percentage?

²⁴ **Hon. Mr. Lang:** I am more than prepared to listen to his advice and I will draw it to the attention of the Agriculture Development Council.

Mr. McDonald: I did not quite catch what the minister had to say, but whatever it was it was not an answer to my question. I can just take it that the minister is going to investigate this and eventually will get back to this forum and discuss this in more detail when he has reviewed this particular policy. I think it is a serious issue because if we are to be seriously looking at developing an agricultural community, we have to ensure that agricultural lands are used for agricultural purposes. We do not have such large tracts of land that we can afford to parcel them up for other than agricultural pursuits.

There is also another serious question, and that is the distribution of federal lands. Should we pretend that our recreational pastimes are really agricultural pastimes, I do not think we will be fooling the federal minister into providing land for us for this purpose. I think that that has got to be a serious consideration under the circumstances, whether we like those circumstances or not.

Getting onto another question, which is a residual one from last Thursday, first of all I should note that the House has not yet received the list of criteria necessary for the receipt of agricultural lands but we did discuss briefly on Thursday, and briefly in Question Period prior to Thursday, the issue of the financial capability of persons who wish to receive land. I read into the record a question in Question Period that suggested that the minister felt that if the Agriculture Development Council believed that the operation is of such magnitude it would ask questions of a nature that will assure itself that whatever is being applied for can be done within the financial capabilities of the individual in question. The chairman of the agriculture council claimed that that was not of concern to him. I would like to know whether or not it is a concern to the minister today, in light of the remarks by the more experienced persons from Alaska who suggested that this was quite properly a criterion, given the nature of the pursuit which is to be engaged: that the financial capabilities be of some concern when distributing a public resource. Perhaps the minister could just elaborate a little bit on these seemingly conflicting positions.

Hon. Mr. Lang: Perhaps I erred a bit in respect to the financial requirement. The basic principle we adopted is: if anybody is

serious about getting into this area they had to bring forward a very serious proposal and present it to the Agriculture Development Council what their intentions are and how they were going to accomplish what they had set out to do on paper. I think the principle that we are looking at is that a lot of young people are interested, perhaps with not that much expertise or not that much financial ability, to give them an opportunity over a five year period, subject to certain conditions as to how that land would go into their direct ownership. Most people seem to be happy with that. I have had the opportunity to talk to a number of people who are starting out and I think in most part are going to accomplish what they have set out to do, within their financial capabilities, of course. There is an ability to extend it, after five years, if we feel there has been an honest effort put forward.

I guess the question we have to ask ourselves is, if anybody going into business initially does not necessarily have the financial capabilities other than an initial stake to get started, if we make that particular condition a major caveat in the disposition of land, are we not destroying what we actually set out to accomplish, and that is to encourage people to get involved, encourage people to make an investment within their capabilities, and to also have a lifestyle that they feel is compatible with what their aims and objectives are. We are putting a fair amount of trust on the individuals involved and I made it very clear to the association and anybody who is involved that the success of the first step into this area by our government is, in large part, a trust relationship with the individual in question.

I think it would be wrong to compare ourselves with Alaska, where they put their land up for auction. It also went to the highest bidder, so there were millions of dollars trading hands. That is not the case here. We are not talking about the acreages that they put out in parcels in Alaska; we are talking about 160 acres, which the member opposite forgets to tell the House. The position of the members here was that they felt that that was the more proper way to go, in order to see what kind of success these people were going to have. At the present time, I do not think it is our intention to make a financial obligation a criteria for the purposes of applying. I think, perhaps, we do it too often, such as in the building of houses, and this type of thing. We perhaps put people into a situation that they can ill-afford, and in the long term is not going to be to their benefit and might have a major impact on their decision to own a home.

I think these are the questions we have to ask ourselves, and I am satisfied that we are doing the proper thing. If there have to be major changes, I am prepared to look at them. The member opposite knows I am always open to suggestions and, if I feel it is a good idea, I will implement it it.

Mr. McDonald: I have just been good naturedly criticized by a member of the House for being too long-winded — not the minister, but another — and I will take his remark under consideration. I am sure, as the minister suggests, many established farmers in the territory are happy with the arrangements and that financial criteria is not necessary for them. I am sure that they do have a very realistic view of what Yukon farming costs are, and make their requests for land conform to their own financial abilities. However, we are passing out land to other persons in the territory, people who conceivably could not have had the same northern agricultural experience. For that reason, I would hope that the minister would review this policy in the months to come.

I think it is interesting that the minister suggested the Alaska case and the fact that the Alaskans set out large tracts of land for auction and that individual farmers were receiving thousands of acres of land that could therefore, for certain agricultural ventures, be viable. There was, in those cases, a necessity to ensure that the financial resources of the applicant were sufficient to meet the obligations under the agreement. That is rather interesting, because I would like to tell a very brief story to the House concerning the dispersement of land. A couple of republican representatives from the Alaskan state legislature started to talk to me about the dispersement of agricultural land and I told them about the Yukon procedure: that farmers individually identify land wherever they would like it and, if the application met certain basic criteria, those

parcels of land would be accepted and the application would be approved. Upon suggesting that, the republican members thought that this was a policy that I was promoting and did not feel any obligation to save my feelings as a member of this party and called that policy disgraceful.

²⁶ I, being somewhat nationalistic, did not tell them that this was the policy that is currently in effect in Yukon but asked them to explain why they thought that particular policy was disgraceful. They told me that, when you identify a particular acreage as being suitable for agriculture, no matter its size, and you parcel that acreage up into economic units, not only is the distribution of land, in their case, fair and equitable to all — because they had a lottery system, I believe — there develops a community of interest and a community of skills and equipment, which has been traditional for the farming community to survive.

I would like the minister to briefly explain if the Agriculture Development Council has made any proposals to the minister, or whether the minister himself has taken it upon the government to make such a proposal to the federal government, to identify an area, such as the Dawson area or certain pieces of land in the Mayo district or Watson Lake, which are suitable for agriculture, to be parceled up in economic units and distributed to individuals in a fair and equitable manner, which would, if successful, promote the community of skills and community of interests and equipment that has been the want of the agriculture community in this territory in the past.

Hon. Mr. Lang: We have largely left it up to the individual to come forward. I can see the time coming when perhaps that is going to be necessary, depending upon the interest of the general populace. I do not disagree with the idea of community of equipment, because I think it is very advantageous to everybody involved and a very good idea. I would submit to the member opposite that what we are doing right now is the first step. As I indicated earlier, if there are going to have to be changes, I am prepared to consider them.

Mr. McDonald: I guess we will have to wait for the minister's eventual decision on a lot of things today. The minister seems to want to elaborate less and less as we go along so I will just ask him some brief questions about the development of certain areas in the agricultural industry in Yukon.

Agriculture policy in any jurisdiction includes a number of things which this government has yet to engage: preferential tax policies; the establishment of farm credit, whether it be the opening of federal farm credit or whether or not the government goes into farm credit on its own; marketing problems; health rules for the importation of livestock and open grazing. These are all issues which have been tackled by various other governments. Has the minister taken any recent initiatives on any of these very important subjects and, if so, perhaps he could elaborate to the House on any one or all of these?

Hon. Mr. Lang: All of these questions are coming up and we are in the process of examining them. We are in a kind of difficult situation because we are advertising for someone with the necessary expertise and technical background to give us some advice, both to the Agriculture Development Council and to me. When decisions are made in this area, I am sure there will be appropriate public announcements.

²⁷ **Mr. McDonald:** That, unfortunately, was the answer I expected and I guess that we can assume that nothing of real distinction has been done yet on these issues but that we will be promoting them in the future.

The minister has suggested in the past that the Agriculture Development Council has been engaged to do certain things in the territory and to advise the minister on agriculture policy, generally. Could the minister tell the House whether or not this Agriculture Development Council will be engaged to move around the territory to discuss the problems in the territory at local meetings, which has been, in the past, a request made to me in Dawson and in Mayo for this kind of information?

Hon. Mr. Lang: My understanding was that both the chairman and the members of the council made themselves available last year, if people wanted to speak to them. I am sure that if it was

something pressing they would be prepared to consider it. I am not prepared to make a commitment right here, today, to say that somebody is going to be in Mayo tomorrow. I think I would be remiss in my responsibilities if I were to say that.

It should be pointed out to the member opposite that one of the members of the Agriculture Development Council resides in Dawson. We made very much of a conscious decision that we wanted representation from outside Whitehorse. In fact, all three members live outside the boundaries of the City of Whitehorse and one, in particular, lives in Dawson City.

We will just see, as time goes on. If somebody makes a representation to the member opposite, perhaps he can have him call me direct. Perhaps I can act much more expeditiously than he can.

Mr. McDonald: The minister obviously has the authority to act more expeditiously than I do. I, however, feel that I am acting more expeditiously in bringing it up before this House than the minister is in acting on the complaints.

It is true that the Agriculture Development Council did travel the territory — or, at least, a member of it did travel the territory — to review individual applications. This is not the same as providing information to interested people throughout the communities. Many people are still unaware, it seems, that there are applications being taken for federal lands. It seems, also, that the minister would not be remiss in his responsibilities if he undertook, at least, this summer, not tomorrow — I would suggest that making this commitment for tomorrow might be somewhat outrageous — to hold public meetings around the territory to discuss the Agriculture Development Council's policies, the government's policies. I think that that would go a long way to expanding on Yukon's collective information.

The obvious point to make is that even while the members of the Agriculture Development Council do not live in Whitehorse, they certainly are not considered to be rural to the extent that Mayo and Dawson are considered to be rural. The majority of complaints that I heard about the Agriculture Development Council have been in Dawson where one member does reside. As a comment, perhaps the minister could re-assess his non-commitment in this area.

I think that we have been given, in the last few minutes, some commitments by the minister to take some initiative in a whole range of areas and I am hoping that, in the future, we can expect that the minister will make public, on an on-going basis, his findings on his initiatives. Further to that, there will be no more comments.

Hon. Mr. Lang: I would be the last to have the member opposite interpret what I said as commitments. I more or less told him that as ideas come up, I am more than prepared to look at them, and that particular commitment stands.

Mr. Kimmerly: I am interested in the question of agriculture in a very general sense. My riding will not be the location for a great deal of agriculture in the future, I expect, but there are residents of my riding who are interested in farming. I am also interested in the development, or the bringing back into development, perhaps, of the experimental farm in the Kluane riding, and I would ask the minister the simple and general question: are there any negotiations under way to reopen that facility and, if not, why not; and what is the position of the territorial government with respect to the development of specific northern agricultural methods and technologies?

Hon. Mr. Lang: I am pleased to hear that the member opposite has a number of people who are prepared to look at farming for the purposes of vocation or lifestyle, because I am sure the member for Hootalinqua would be very pleased to have more members in his riding who would support the policy that we have put forward. As far as the experimental farm is concerned, I would say that, overall, it is dead, at least at the present time. My understanding regarding the land in Haines Junction is that the Council for Yukon Indians is having it transferred to them or they do have it, and what their plans are I do not really know. Our thoughts are that we should be giving encouragement to the individual farmers as best we can, primarily through land disposition and evaluate what is being done over the course of time. Perhaps, down the road, in conjunction with my

colleague, the Minister of Education — and I am pleased to see that she has gone; perhaps I can make a commitment on her behalf — that with various programs put into effect to disseminate information and conduct seminars, and that kind of thing, perhaps we can work with a number of the farmers who have successfully implemented farming as a vocation. Perhaps, too, we could use some of their land, or contract with them, for various experimentation purposes.

I should caution the member opposite — and I am sure he would agree that he, like myself, is a layman in this area — it is a very costly exercise to get into an extensive program in agriculture, and I think we have to proceed very carefully, especially in view of the economic situation we face today. It is an area of interest and it is one that I would not discount down the road, depending on the success of how things develop over the course of the next couple of years.

Mr. Kimmerly: I am asking the questions specifically because of the peculiar economics of agriculture in the north, and I am very interested in the government's policy. I have two questions. I am going to ask them one at a time. Is there any negotiation between the federal government and the territorial government, firstly, and, secondly, between the Council for Yukon Indians and the territorial government, with respect to wildlife management in a semi-agricultural way? What I am talking about is that everyone knows that the Canadian prairies were at one time covered with buffalo, and the buffalo are now gone. Many of the areas where the buffalo used to be are now cultivated to grow wheat and other grains and many other areas are rangeland for cattle.

It strikes me that if, at the time the buffalo were destroyed, a plan had been developed to maintain the buffalo and domesticate the buffalo in a partial way, buffalo meat may be better and cheaper and more economic for the area than is beef, presently. After that preamble, I would like to talk about the Porcupine caribou herd and also other caribou herds in other areas of the Yukon.

²⁹ The minister has side-stepped various questions about reindeer ranching and, for example, elk and goats, as well. It strikes me that this kind of a program may well be the most economic and the most environmentally sensible way to go in northern areas. I raise that question very, very seriously and I ask the minister to respond concerning any government considerations or initiatives in that area.

Hon. Mr. Lang: I think the member opposite is deviating away from my responsibilities. The question of buffalo farming, reindeer farming and elk farming should be more directed to the Minister of Renewable Resources. I have been told that it is called animal husbandry and I want to assure members opposite that I have no problems with husbands. If somebody came forward with a proposal, the Minister of Renewable Resources has indicated that he would take a very serious look at it. He also indicated that they are looking at the possibility of bringing bison or buffalo, or whatever they are, into the Nisling River.

I guess that is basically where I can leave it. My concern is to try to dispose of some land to those people who are interested in growing some sort of produce. Maybe down the road, the member's ideas may well be taken into account. The possibility does exist where we could end up with something similar to what they have in the Northwest Territories, as far as reindeer are concerned in northern Yukon. It would seem to me that I am more interested in the idea of growing things for the purposes of produce, primarily because, maybe down the road, there is the possibility of some exporting.

I indicated to the House, some time ago, that bales of hay were going through the territory here and landing in some parts of Alaska at \$14.50 a bale, American dollars. If we can grow at least a part of it here, maybe there is room for somebody to make a buck at it and sell just across the border; I do not know. Those are ideas that are being presently propagated. I do not think I can add much more to the debate.

Mr. Kimmerly: I thank the minister for taking those comments seriously and I would recommend that the Department of Renewable Resources and the people responsible for agriculture and the distribution of agricultural land look at those questions with some

seriousness. The member for Kluane will also assist, I am sure, as he is extremely knowledgeable in the area.

The minister indicated that he is interested in growing things. I would like to talk about growing things in the same perspective. There are some food products or wild food indigenous to the Yukon that are now eaten mainly by animals, or which now rot. Berries come to mind. It is quite clear that fruit orchards will not survive in the Yukon but many berries will. In the same vein, is there any initiative being undertaken to develop and domesticate any of the wild berries or, more generally, wild plants?

Hon. Mr. Lang: We do not have that kind of expertise. There may well be that type of experiment going on in the various universities across the country because that is primarily where it would have to be done. If any of that information does come to my attention, I will make sure that the members opposite are aware of it. It could well turn out to be a valid area of investigation but, at the present time, we do not have the finances or the technical capabilities and it will be some time before we have that type of expertise, I am sure, if we ever do have.

Mr. Kimmerly: I would agree with the minister that it is a fairly costly exercise to investigate these things scientifically. I would recommend two things: one, there exists a considerable body of knowledge among older Yukoners, especially in the native community, as to the use and the edible qualities of many natural plants in Yukon. That body ought to be drawn upon and it would not be very expensive to do that.

Secondly, within the scope of the agricultural colleges and universities, I know there is considerable interest in experimentation in this kind of area. I would recommend to the minister that the views of the Yukon government become more widely known in this area and that promotion of this kind of research be increased.

Mr. McDonald: Before I ride off into the sunset, at the minister's request, I have a couple of questions I would like to put on the record and one question I would like to put to the minister this afternoon. The one that I would like to put on record emanates from Question Period today, in which I asked the minister if he would provide documented evidence that the government had written confirmation that federal agricultural land would be transferred to the minister. The minister suggested that he would, if asked, engage to get this written confirmation and I do ask him to do that.

The other comment, and perhaps a question, is that the minister has just suggested that growing produce is the main aim of the agricultural development in the territory. I realize that I am grasping at straws to a certain extent here, but that we have only straws to grasp at when we consider the minister's testimony in this House. The minister has suggested that growing produce is, I believe, a statement of policy. Does that policy provide the distinction between the gentleman land-owning pursuits or the true agricultural pursuits? That is one area which I am fascinated with at the moment.

The third question, and I would like the minister to answer the question this afternoon if possible, is quite briefly this: will the minister answer the written question that was put to him last week regarding the dispersement of land? The minister did suggest that I had various avenues in this House which I could pursue to get some information regarding agricultural pursuits. I did ask the written question; I pursued that avenue. I am wondering if the minister is going to accommodate my request. Will the minister accommodate the unanimous request made by this House to provide the rules for the distribution of public land?

Hon. Mr. Lang: He will have to wait to get a written reply to the written question put forward. As far as the motion that was passed, it is my intention to bring the necessary papers forward and I will, in time.

Mr. McDonald: Can the minister state when we might expect the reply to this written question?

Hon. Mr. Lang: I think I would be remiss in my responsibility in giving myself a timetable. In view of the fact that the member scrutinizes *Hansard* so closely, if I cannot meet that date, I am sure the member opposite would take me to task. Therefore, I would just as soon leave my options open.

Mr. McDonald: Sorry to be so obstinate. Can we expect this request to be answered before the end of this session?

Hon. Mr. Lang: It depends on how long this session goes.

Mr. Byblow: The minister has indicated that the Robert Service Campground was under an administrative changeover to, I assume, the City of Whitehorse. Has that now been done?

Hon. Mr. Lang: It is underway. If it has not been done, it is just now in the process of completing the transaction.

Mr. Byblow: The minister has indicated that he has supported an extension to the deadline for setting of tax rates to municipalities, in particular to Faro on the subject of the deferment of capital and debenture loan payments. At what point are the negotiations for refinancing that required payment now?

Hon. Mr. Lang: The only one that replied is Faro. We are in the process of looking at it. I believe it was extended to May 15. Of course, a decision will have to be made prior to the striking of the percentage levy before that date. Therefore, we are in the process of discussing between Municipal Affairs, Finance and, I understand, the Town of Faro.

Mr. Byblow: Is it a correct assumption that the money in question that is asked to be refinanced was originally borrowed from this government?

Hon. Mr. Lang: I would assume that it was but I would not want to make any assumptions that I could not substantiate on paper in front of me. I would have to check on that but I am assuming that is the case.

Mr. Byblow: The federal budget has made some mention of a \$2,200,000 fund labelled special recovery capital projects and, I believe, 100 projects have been selected. I am curious whether or not this government has, previous to this, applied for any of that special capital monies for projects. If a number of projects have been selected, obviously, they would be selected on some basis. Are we taking advantage of this particular program?

Hon. Mr. Lang: I do not know how the member opposite expects us to apply when it just came into effect approximately one week ago. We have applied via other programs, similar to what happened with the swimming pool in the City of Whitehorse, so I do not know specifically the area the member is looking at. I do know that the Minister of Finance is investigating with the Government of Canada what is available, if it is available and how can we utilize it. I can assure the member opposite, if monies are available, it is not our intention to pass them by.

Mr. Byblow: The question was general and specific because the reference in the budget was that the money identified under that program was for projects that have already been planned or in stage of planning. Obviously, from discussions this government would have had in the last four to six months, something of this sort would have been discussed at some length and some consideration been given. At the same time, these projects are identified as ones that will go this spring or summer. On the assurance that the government leader is, or has been, investigating available funding from the various programs, I will leave the question.

Mr. Penikett: I do not want to get the member for Porter Creek East upset again. No, the Minister for Porter Creek East has no heart; he is not going to have any heart problems. Specifically, on the same point raised by my friend from Faro, the budget says, quite clearly, that 100 projects have been identified as being approved under the budget provision. Therefore, it is my assumption that some kind of communication will have gone on with the provincial governments across the country about special projects. Does the government leader know if the Yukon had any projects on that list or, since the budget came down, has there been a phone call or letter saying that something you have always wanted here is going to be funded under this program?

Hon. Mr. Pearson: As I have indicated to the House, I am very hopeful that the Whitehorse airport is going to be on that list but we do not know that for sure yet. I understand that what is happening now is that federal ministers are being dispatched from Ottawa to all of the regions of Canada to make announcements. I fervently hope that the next federal minister arrives to announce the construction of the airport. They do not tell me when they are going to come to Whitehorse.

Mr. Penikett: Perhaps we could post a patrol at the Whitehorse airport to keep watch for jetstars. It is not such a novel idea. I understand that, not so very long ago, the British government discovered that they had appointed a person during the Napoleonic Wars to stand on the Cliffs of Dover and send a signal fire if they saw Napoleon coming. I gather they have recently decided to abolish that position.

On Administration

Hon. Mr. Lang: Administration is the same as it was last year. The major change from the past year, of course, is increased personnel costs as a result of reversion to the 10-day fortnight. Administration in the amount of \$177,000 agreed to

On Lands

Hon. Mr. Lang: This is much the same situation. We are more or less maintaining the status quo with respect to this particular area. We have an increase in personnel costs due to the 10-day fortnight and also the reason for the major difference between the estimates and the forecast of 1982-83 was the result of the delaying of the hiring of a land disposal officer in 1982-83. Professional and special services includes Agriculture Development Council, miscellaneous surveys — we are looking at the question of the squatter situation — and there is also the rental of vehicles, et cetera.

Mr. Penikett: I understand the minister told the House the other day that the squatter problem was proving a little more complicated than he had originally anticipated. Last session, he indicated that the policy might be coming down before the end of the session. I understand that he said that he is not ready now to give a statement. Can he give us any kind of estimate as to when his statement on this question might be ready?

Hon. Mr. Lang: I want to assure the member that this is one area that we are looking at very seriously. I do not want to lock myself into a timeframe. I have other variables involved, for example, within municipalities. I am sure the member opposite, being an ex-alderman, would recognize that I have to have some consultation there, within the municipality of Whitehorse, as an example. It is outside the parameters of the organized communities, so it is going to take some time. I recognize the member opposite is being very persistent and I appreciate him always raising it because it always comes to my attention. I assure the member that I take his questions very seriously as they are outstanding issues.

Mr. Penikett: I hope, with one question a year, I am not being excessively persistent. I understand the minister's problem because, in my time on city council, there appeared to be some difference of opinion between the two levels of government on this question; perhaps, even a difference of opinion among the three levels of government on the question. My attempts to understand the problem were compounded by the fact that I was not even sure what the opinions of the three levels of government were. There just appeared to be differences.

Let me move on to another subject, which is a popular favourite of the minister's and mine, and that is quarries, gravel pits.

³³ Some time ago — in fact, probably going back to 1978-79 — there were extensive discussions between the territory and this municipality about the relocation of gravel pits. There were some questions about the discussion of the creation in this municipality of quarrying zones or a new kind of zone for quarrying which would restrict activities to that. I understood that there was some kind of overall plan, or some kind of management plan, being prepared by the minister's officials, which would include some clearer provisions in respect to licensing and royalties. I wonder if the minister could tell me what the state of the development of those plans is? Are they complete? Is the policy clear? Could he give us some kind of report?

Hon. Mr. Lang: It is an outstanding issue. As the member knows, delegation of that authority has always been, at least from this side of the House, very clear as far as policy is concerned. If the City of Whitehorse wants to take on the responsibility, we are more than prepared to pass it on. From a number of points of view, of course, there are problems that you find when you have to deal with two levels of government.

I should point out that I will be, within the next couple of weeks,

I think, to the point where I can confirm that we have in place another area for quarrying. We are also looking at quarrying regulations: I have not reviewed them myself. I intend to go through them fairly soon and, hopefully, they will be implemented, as well.

So, things are moving in that area and I expect to have a resolution of the problem for the member opposite so that he no longer has to raise the question of quarry pits in the House and I no longer have to attempt to answer it.

Mr. Penikett: I cannot give any guarantees on that score at all. I think I can give the minister this reasonable promise: once he comes down with his policy on squatters and quarries, I may even have more questions about it than I did before.

Let me ask him this serious question, since he has talked about de-evolving this responsibility for quarries to the municipalities, or to the municipality, in this case. I understand the basis for those discussions and the practical reasons for considering that alternative. I ask the minister this policy question: given that, for the time being, this is likely as close as the minister is going to get to the responsibility for this kind of resource or to the responsibility for hard rock mining or even open pit mining, have the minister's officials considered at all that an experience with licensing, royalty structures, and some of the land use problems involved with mining gravel might be a useful background or might be useful experience for this government in developing its own plans and own policies, in respect to some of the larger mining issues, the larger non-renewable resource issues?

Hon. Mr. Lang: I think you are dealing with a much broader issue, in respect to non-renewable resource extraction in the territory, because of all the various things that come to bear on it, such as health and occupational diseases.

There is no question that this is an area that they have done a fair amount of work in by looking at the provinces and what they have done. I do not think it can be used as an example of what we would do in the area of non-renewable resource extraction. In view of the smallness of the area, the principle behind this, of course, is to try and provide an area where both the public and private contractors can have access to.

The major concern that I have expressed to the department in any meetings that I have had is that they should be used. It should not be a question of a person getting an area and then just saying, "Well, we have it and we will keep it until such time it is very financially advantageous for us to transfer it to someone else". I am not opposed to anybody making a buck. I think it is a good idea, but the point is that there are only so many areas available and people should have access to some. All I am demanding, from my perspective, is that they utilize that resource.

As far as the royalty structure is concerned, there will undoubtedly be a royalty, but it will be small because when we set that royalty, Mr. Penikett, who is getting his driveway done, is going to pay that royalty. It is just passed on to the consumer, so it is a deception in itself, from that perspective, as far as that particular resource is concerned. It is not as if it is being purchased for export or that kind of thing.

³⁴ **Mr. Penikett:** Of course, I realize that it is a long way from a little gravel pit to something like the open pit mine in Faro, but sometimes mines have a habit of ending up as gravel pits. I note the minister's comment about his intention to take action or to prevent — what could I call it — gravel pit speculators or people sitting on a resource like that and preventing people from using it until it was to their personal advantage. I guess all we can do now is leave it and hope that the minister's policy is forthcoming very soon.

Mr. Byblow: What is the current policy with respect to municipal lands being given out for non-municipal purposes, that is, non-residential purposes? For example, in the instance of either Dawson or the immediate municipality of Whitehorse or in the case of Faro, should there be application for non-conforming use as exists per the existing bylaw? What is the current policy in dealing with that?

Hon. Mr. Lang: We are subject to the zoning of the various municipalities in the procedures just like any private individual or investor, it is subject to the zoning and the procedures that are there

in legislation.

Mr. Byblow: The municipality of Faro, as the minister knows, is quite a large municipality and has an area of land that could qualify for agricultural purpose and, in fact, it is identified in some of the maps produced. I believe at the time of the last election, as suitable for agriculture and could be applied for. Does this government require a policy on that type of dispersment from the municipal councils before they will approve it? I am still unclear as to the distribution.

Hon. Mr. Lang: They would have to zone the area for that particular reason and we would have to decide whether or not we were going to make the land available if it was territorial land. I just want to caution the member opposite that you have to be very careful within the municipalities; in many cases, we do not have that much land to start with. In the context of the territory, of course, we have very little land if we take Yukon in its totality. In those areas where the municipality has jurisdiction, we try to work cooperatively with them and we are subject to their zoning, as far as I know.

Mr. Byblow: If a municipality identifies a portion of the municipality as agricultural use land, under whatever description that agriculture use would include, is the minister telling me that, at that point, it becomes a decision of the municipality to disperse the land, or is this now a thing upon which the territorial government has the final decision?

Hon. Mr. Lang: We own the land so we have to disperse it. We rely on the municipality to tell us what they want and what they would like in certain areas as far as zoning is concerned. As far as I know, they would have to zone the area, it would have to be accepted for the purposes of agriculture, or they might want it referred as a non-conforming use; I do not know. There would have to be a discussion between the city and ourselves, as far as a certain area was concerned, to see whether or not it was going to be suitable for that particular pursuit. We would definitely not do it without some discussions with the municipality in question.

Mr. McDonald: The minister suggested, quite rightly, that the Agriculture Development Council's activities come under the department of lands. Could the minister state how much of this figure has been allotted for the Agriculture Development Council's activities and whether or not it is an increase over last year?

Hon. Mr. Lang: It is twenty-four thousand dollars, an increase of \$4,900 over last year.

Mr. McDonald: Can we expect the person-years for this department to increase with the introduction of an agricultural expert?

Hon. Mr. Lang: Probably, depending upon how successful we are. We will be reclassifying the position from one side of the budget, which is in the protective services area, to that of an agrarian representative, and I would imagine it should be in this area of the budget and may be incorporated in other parts of the budget if this is going to happen. The member opposite will have to hold his breath until next year.

Lands in the amount of \$226,000 agreed to

Mr. Chairman: We will now take a short break.

Recess

Mr. Chairman: I now call Committee of the Whole to order. We will have to wait a moment for the minister to arrive.

On Protective Services

Hon. Mr. Lang: I think once again this is pretty clear in respect to the dollars being requested. It has to do with the personnel, of course, in the protective services area; for the fire marshal's office, the inspection staff and ambulance personnel. I should point out, as far as the inspection staff is concerned, that we have put a number of the people into the retrofit program with the idea of contributing to various retrofit programs throughout the territory. Otherwise, I do not think we could justify that number of people within this particular branch. I understand that it is working out fairly well.

There is some money in there for the purpose of ambulance training or courses, which I think are of importance to that area of the department. Some money for materials, hand tools, fire equipment and ambulance supplies are included as well. I also should point out that the personnel costs decrease of \$39,000 is due to overtime not budgeted for in the ambulance service section, and has been partially offset by the reverting to the 10-day fortnight. One area that we are looking at, and I am working very closely with the MLA from Hootalinqua, is in respect to fire protection outside the municipality of Whitehorse to see whether or not we can come to a resolution of that situation.

Mr. Penikett: I want to pursue that question of fire protection outside the city limits a little bit with the minister. I am very glad that he is working closely with the member for Hootalinqua. I appreciate that and I would hope that he would work closely with me on a similar but not totally unrelated problem. As the minister knows, or may have heard, the insurance rates in the country residential area of Wolf Creek and other areas close to the city limits have, in fact, become quite high. I do not happen to have the figures with me, but they are extraordinarily high in some cases. The principal reason, I gather, is the distance from the fire hall and the nearest fire truck. The actuarial system establishes the rates very much on the basis of distance from a fire truck.

¹⁶ There have in the past been joint-use agreements, or mutual service agreements, between the two levels of government to deal with problems like this. We have it on recreation. We have had a system of cooperation, I gather, in terms of fire protection. I would of course, like to see that system continue. Therefore I ask this question: one, was the problem of fire protection considered very seriously at all, at the time country residential developments first took place? Two, is it being considered now, in respect to developments outside the city limits but close to the city? Three, is there some decision to locate either a volunteer fire brigade or fire equipment close to the city, but outside the city limits, to service that area outside the city limits? Is the minister willing to entertain some kind of joint-use agreement that would advantage areas like that in my constituency, Wolf Creek. The reason I ask the last question is obviously that it is quite possible that if you had a fire truck on the Carcross road it would be a lot closer to Wolf Creek than the one downtown and that might have a positive and beneficial effect on not only fire protection, but the insurance rates in that part of my constituency where they are very high.

Hon. Mr. Lang: I do not think it would have that much of an effect on insurance rates. You would have to ask a person involved in the business. It is five miles away from a fire hall, but it also has to do with the hydrant and the amenities that are there. Of course, that would not benefit a country residential area or homeowners outside the City of Whitehorse. I would be more than prepared to look at some sort of an arrangement between the two areas, if that were possible, but I think it is important to note that the people in the area are going to be required to pay, through some method, for that type of protection, similar to what you and I do in the City of Whitehorse through our annual levy of taxes. We pay for that protection and it is provided; subsequently, our insurance rates are down. I think it was taken into account at that time, but there was not any major outcry about fire protection that was going to made available, for example, in the Wolf Creek or McPherson area. They were going to be charged the rates as though they were outside the City of Whitehorse because of the lack of amenities and because of the lack of water to be able to fight the fire under the rules set by, what I understand to be, a national body that looks at these things and establishes rates.

These are the things we have to weigh in respect to areas outside the city limits if protection is going to be available. Is it going to be volunteer, and if it is to what extent? Once you start getting to the area of professional fire fighters you are talking a different game and a very expensive one: 24 hours a day, seven days a week, and the list goes on. I think we all know that we have a number of services we provide, such as ambulance services 24 hours a day. It is much larger in Whitehorse than it is in the rural communities, because we have three shifts a day, seven days a week. It is very, very expensive.

I think what you are really looking at is some sort of fire protection in those areas that is going to be able to contain the fire and hopefully save some of the dwelling in question. These are the questions we are going to have to entertain in respect to areas outside the City of Whitehorse.

I am sure that if there was a fire in McPherson, for an example, and there was a fire truck outside the City of Whitehorse, perhaps we could have some mutual arrangement. Once again, we get into the situation where the City of Whitehorse has indicated to us their first responsibility, and rightfully so, is those people within the City of Whitehorse. We had a verbal understanding, the way I took it, from the department and their administration, on a principle of responding to fires. Of course, there was an unfortunate incident that took place here not too long ago between myself and the acting mayor; we got involved. I think most people recognize now that if you are outside City of Whitehorse we are going to have to sit down and decide if you want fire protection. If you do, to what extent and at what cost? Whether or not something mutual can be worked out, I guess, is another question too, because the City of Whitehorse is not going to respond outside their city limits. If there is a volunteer fire fighting system outside the city responding to a fire, other areas are at risk in the same way. That is the basic problem, as far as fire-fighting is concerned; is there adequate backup to be able to go to another area to fight a second fire?

Mr. Penikett: I thank the minister for his answer. I should tell him that I have recently had cause to have lengthy correspondence with the national agencies of the insurance industry on exactly this problem; not as it respects, as it happens, the recent incident outside the city limits, but about those areas close to the edge of the city, particularly Wolf Creek. It is my impression, from reading that correspondence, that the distance from the fire hall seems to be the major criterion. The water service and the hydro, I am sure, is also very relevant.

I put a question to the minister before about cooperation. It seems to me that this is a difficult, complex issue. I would be quite happy to share with the minister the correspondence that I have had on this question recently, on the basis of his undertaking that I might be involved in some discussions about this problem as it may affect my constituents, particularly those constituents living close to the edge of the city and who might be able to both contribute and benefit from some new arrangement that might be provided to the people outside of the city limits. It is conceivable that people in Wolf Creek, for example, might want to join a volunteer fire brigade stationed on the Carcross Road. There are a number of possibilities like that and I hope, as they are exposed, that the minister might see fit to include me in the discussions.

With respect to the planning for new areas of development outside the city limits, can the minister share with us the extent to which the problem of fire protection — because, as the minister said, it is an expensive service — will affect the plans for developments in those areas, new housing and so forth?

Hon. Mr. Lang: I should point out that, first of all, the member for Porter Creek West, who happens to be in the chair and cannot participate in the debate, has indicated to me that, from his experience, the only thing that has changed his fire rates for his home is the installation of fire hydrants. It did not have any effect when there was a volunteer fire-fighting corps right across the street, as far as the station was concerned. I guess that is a question that can be debated by itself.

I should point out that it is not my intention, initially, to bring Wolf Creek or McPherson subdivisions into the discussions that I am having. That is a responsibility of the City of Whitehorse. They did zone those areas, they asked us to develop them as a government and we did. I would say that that is their responsibility, similar to what we are saying that outside the City of Whitehorse is our responsibility.

Down the road, if there is any possibility of some sort of a cost-shared type of thing or mutual understanding to be brought in, in particular the question of Wolf Creek, I will contact the member opposite. I think it would be unfair and I think it would blur the issue if you and I were to become involved over the question of whether or not there should be a volunteer fire-fighting station at

MacPherson or Wolf Creek. I think we should try and leave issues with the various levels of government, as opposed to trying to blur the situation, as I indicated earlier, because I think it just confuses everybody involved.

As far as the further development outside the city limits is concerned, I do not think it is going to have that much of an effect. It is our intention to continue where the public would like us to continue developing land, but I think everybody now, in view of what has transpired, are very clear that they are responsible if there is a fire in the area.

As far as fire-fighting in the summer months is concerned, I am informed by the MLA for Hootalinqua that they are very pleased, at both ends of the city outside the city boundaries, with the fire protection that is provided through forestry. Apparently, they do a very adequate job in the summer months and police it very well. I think it speaks well for that particular federal department and it is also protection built-in for the people in those particular areas.

It would seem to me that I cannot add much more to this, other than the fact that we are looking at three or four options and trying to develop them in the department. The MLA for Hootalinqua, who is directly responsible for the area, along with myself, has indicated that, if necessary, he is prepared to take the responsibility on to meet with the people involved and to go through the options to see just exactly what they want.

I want to stress that my understanding is that it is not going to have that much effect, as far as the fire insurance rates are concerned. I will get verification of that, but I do not believe it is going to have that much of an effect. It is one of the costs of doing business, or if you want to live there, that one incurs, whether we like it or not. It is a question, I guess, of the track record and the ability to put the fire out. I would have to look at the fire rates and everything else, which I am not knowledgeable on.

Mr. Penikett: Far be it from me to want to blur the situation or muddy the water or add fuel to the fire or confuse the issue. If at some point, in dealing with this issue, he comes to some cooperative arrangement with the city with respect to fire services for those areas just outside the city limits, it may have implications for those areas just inside the city limits. Perhaps those of us who represent those areas might be advised and might, in an informal way, be involved in the discussions.

Hon. Mr. Lang: I would expect that the word "advise" is probably more appropriate. If I am going to sit down and negotiate with the city, I do so under my responsibility as the Minister of Municipal Affairs. If we do come to a resolution I will definitely inform the member opposite whether it is going to have an adverse or positive effect.

Mr. Byblow: In the instance of the outlying communities, the LIDs and unorganized communities, does the minister have available two things: firstly, the communities which do have fire-fighting equipment and, secondly, does this government absorb all costs related to the maintenance of that equipment and its original cost, upkeep and paying the volunteer fire people?

Hon. Mr. Lang: Yes, that is correct, for the most part. In most communities, we purchase the equipment, pay a small honorarium with respect to the people involved and put on the programs for fire-fighting. I should add that we are very proud of the program that is in effect. I think, overall, it is fairly significant and the people involved are mostly volunteers and work very hard at it. Right now, we are looking at the State of Alaska to see whether or not we can instigate a fire competition-type of arrangement with them to further spark interest in recognition of the work that people do in their capacity as volunteers within these small communities.

Mr. Byblow: There was a first part to the question: which communities do not have equipment? Does the minister have that information?

Hon. Mr. Lang: No. As far as I know, they all have some equipment or, at least, have been offered it. It is available. I cannot think of one where we do not have the equipment, except for Burwash. That is a case where the equipment was provided. We suffered a great deal of vandalism and, I believe, they went to look at the fire truck and it was out of gas. Somebody had gone in and siphoned out the gas, and the water had been drained. In view of

the situation in that particular case, we felt that there was no point in having a fire truck. Subsequently, we took the particular truck out of the community. They have come back to us and I have indicated that we are more than prepared to look at it. Some responsibility has to be assumed if we are going to provide that service and I think that is fair ball.

Mr. Byblow: On the topic of ambulances, again, I am relatively familiar with which communities have ambulance service. I just want to confirm, again, as with the fire-fighting equipment, does this line item now cover the full cost of maintenance and paying the drivers relating to ambulance equipment in the outlying communities?

Hon. Mr. Lang: My understanding is yes.

Mr. Byblow: Does any kind of a formal agreement exist with those communities towards the maintenance and operation of the ambulance service? I do not ask that in a critical way; I ask more about the relationship that exists in the provision of the service.

Hon. Mr. Lang: I do not know whether there is anything directly in writing between the communities. I could take notice on the question and inform the member perhaps next budget session.

Mr. Byblow: Has there been any expansion of ambulance service to any community in the last fiscal year?

Hon. Mr. Lang: No, they are all being serviced. We do have a program to try to upgrade our ambulance vehicles. If my memory serves me correctly, I believe the community of Faro is getting a new ambulance. We are going to be continuing on that program within the financial limitations that we face. As I indicated, we are going to be looking at a program for the people in the Whitehorse area for the purpose of upgrading the qualifications of our full-time ambulance drivers. The reason for that, of course, is that ambulance meets the volunteer ambulance coming into town. That seems to be the best way of doing it.

Mr. Byblow: Is there a different level of support provided to the municipalities than the other communities towards ambulance services? For example, is the full cost of ambulance service provided to the municipality of Faro as to the community of Watson Lake?

Hon. Mr. Lang: My understanding is yes.

*Protective Services in the amount of \$638,000 agreed to
On Ambulance Services*

*Ambulance Services in the amount of \$503,000 agreed to
Protective Services in the amount of \$1,141,000 agreed to
On Assessment Services*

Hon. Mr. Lang: It is fairly straightforward; it flows from the *Taxation Assessment Act*.

Mr. Kimmerly: Does this department assess property on mineral claims?

Hon. Mr. Lang: Yes.

Mr. Kimmerly: With respect to the assessment process on mineral claims, I have received some information from citizens, not constituents, as to the possibility of controversy or discussion on the question. Is the procedure followed and is the government policy that all mineral claims are investigated and assessed for the various properties on them and what is the method of assessment? Is it market value or some different measure?

Hon. Mr. Lang: The land itself is not assessed. I think there is an assessment levy if they are deemed to be squatting or, if they are on a mineral lease, there is a minimum charge of assessing the land of \$100. Along with that, the property is assessed at replacement cost. It is not a policy of this government, it is a policy of this Legislature because that is what is in the legislation, which I understood was unanimously passed in this House after debate a number of years ago.

On Assessment Services

Mr. Byblow: The minister previously said that, in this past year, his assessment branch was able to do an assessment on all property in the territory. What is the frequency for reassessment in communities and Whitehorse?

Hon. Mr. Lang: It is an ongoing exercise by the assessment branch on an annual basis. They are attempting to do it, I believe, on a three-year review of the situation. Now that we have the assessments on an equitable basis, across the territory, in most

cases they will be able to use computers and evaluate whether or not the market and replacement costs are going up or down bringing in depreciation factors. We should be able to keep the rolls fairly current, the way I understand it.

Mr. Kimmerly: When was the last assessment inspection for mining claims done in the Dawson area and are we expecting another one this year?

Hon. Mr. Lang: You are getting very detailed but, I believe, that an assessment was done this past year and it was strictly on the fixed properties themselves. In most cases, they will be paying a minimum of \$100 as far as tax is concerned, except for the odd one that actually has his or her home and is living there on a year-round basis. Of course, the assessment will reflect that. I would suggest that we are going to try to keep it as current as we possibly can within the manpower we have.

*Assessment Services in the amount of \$317,000 agreed to
On Municipal Services*

Hon. Mr. Lang: I have handed out, to all members, the transfer of payments as far as the communities are concerned. Contrary to some public statements made here recently, I think that the taxpayers of the territory are making significant contributions, through the Government of Yukon Territory to the municipalities, recognizing the importance of the communities and their various responsibilities. It has not changed significantly from last year. I think it is fairly straightforward and I am prepared to entertain any questions with respect to it.

On Administration

Administration in the amount of \$319,000 agreed to

On Municipal Grants

Municipal Grants in the amount of \$3,875,000 agreed to

On Unincorporated Communities

Unincorporated Communities in the amount of \$252,000 agreed to

On Special Programs

Special Programs in the amount of \$137,000 agreed to

*Municipal Services in the amount of \$4,583,000 agreed to
On Municipal Engineering*

Hon. Mr. Lang: I think that it is fairly straightforward. It just provides for our engineering staff, within the department, and the various dollars that are necessary to do the engineering for the capital projects that we take on, on a year-to-year basis.

On Municipal Engineering

*Municipal Engineering in the amount of \$153,000 agreed to
Department of Municipal and Community Affairs in the
amount of \$6,597,000 agreed to*

On Department of Economic Development and Inter-governmental Relations

Hon. Mr. Pearson: All members will recall that this department was formed one year ago, under our re-organization of government departments, in order to bring together those agencies with major responsibilities both for economic development and for relations with other governments. We combined the Economic Research and Planning component of the former Department of Tourism and Economic Development with the Department of Intergovernmental Relations. This latter department, at the time of amalgamation, was responsible for all intergovernmental relations, policy analysis, land claims, Beaufort Sea and pipeline coordination, and the Ottawa office. Our intent was to bring together those officers with complementary responsibilities in order to forge a strong and extremely capable team that could more readily address the more significant issues facing Yukon today and in the future.

I must say that I feel that our decision of one year ago has been more than justified by the activities of this new department. The various branches of this department have had a major impact upon the ability of this government to not only withstand the severe pressures being forced upon us by our current economic situation, but also to react positively and responsibly to that situation and those pressures.

The Department of Economic Development and Intergovernmental Relations occupies a key and central position within this government. Its work in the areas of land claims, economic

development, energy, Beaufort Sea and pipeline coordination, policy analysis, intergovernmental relations and special projects is critical to this government's long-term plans for Yukon. Over the past year and, indeed, over the last six months, this department has had a major and positive influence on Yukon's economic recovery and on our long-term economic development.

As was indicated in the Throne Speech, the Economic Research and Planning Branch continues to work diligently in its efforts to negotiate an economic development agreement with the Department of Indian Affairs and Northern Development. Discussions are currently being held on the agreement and it is hoped that a joint Yukon economic development strategy will be forthcoming in the near future, working with various departments on a number of sub-agreements that will be signed under the Economic Development Agreement. At present, three sub-agreements have been developed in draft and others are expected to be completed shortly. Before this House adjourns, I hope to be able to outline the substance of the agreement in a ministerial statement to you.

The department is continuing to work towards solving the problems that are being faced by Yukon's largest industry. As was indicated in the Throne Speech, this government is prepared to provide wage top-ups totaling \$1,000,000 in 1983-84 to assist Cyprus Anvil Mines. We are prepared to honour our other \$1,600,000 in commitments once it is clear that the mine is returning to full production. It has been said that this aid is insufficient, but let me point out that our contribution is, relatively speaking, one percent of our budget and is the equivalent of the federal government providing for four \$500 million Dome bail-outs. In addition, the Government of Yukon will be taking \$600,000 less in taxes from the company. This amount is exactly what the company requested as a major contribution on our part.

Still with mining, officials of the Economic Research and Planning Branch are continuing to work with Mr. Jim Dodge, of Yukon Barite, in an attempt to assist him in getting into production in 1983. I am hopeful that any problems will be overcome shortly and that the mine will begin working.

Gold and silver prices appear to be rising and officials of the branch have been in contact with United Keno Hill Mines about the re-opening of the mine this summer. Placer mining is expected to recover this year and should contribute substantially to the Yukon economy.

Further, in the area of non-renewable resources, the department has continued its research into the preparation of a mineral policy.

The Economic Research and Planning Branch is also responsible for undertaking research into a variety of socio-economic issues. A number of studies have been undertaken during the past year, two of which may be of interest to members of the Legislature. First, the branch has recently commissioned a study on the socio-economic impact of large projects on the community of Ross River. This study was cost-shared with the Department of Indian Affairs and Northern Development and examined a variety of projects being considered in the area of the community. The study suggested methods for mitigating possible impacts. Local residents' input was requested and we are certain that this study will provide the information we require to ensure that the residents of Yukon benefit from developments, and that the adverse impacts on the local area are mitigated to the greatest extent possible.

Second, the branch is undertaking a coal inventory of Yukon in order to determine the location, size and possibilities for developing thermal generation in the territory. This study is the first of a number of studies that may be done in this area and will complement work being done by the department on the development of alternative fuel for Yukon.

In the area of business development, the Economic Research and Planning Branch is now completing two major projects undertaken with funding provided through the northern hydro-carbon strategy development agreement. These projects, namely the Yukon Business Directory and the business audio-visual presentation entitled "Yukon: we mean business" were undertaken cooperatively with the Yukon Chamber of Commerce and clearly show our government's commitment to joint industry-government cooperation in developing and promoting our business community. The end

products of these two projects will be formally presented to the public during the annual Whitehorse Trade Show on April 29, 30 and May 1.

In addition, the branch is preparing a community information profile of all Yukon communities in order to assist this government in its planning efforts and to assist communities in making prospective new businesses aware of the advantages of locating in Yukon's communities. It is anticipated that this publication will be available in early June.

The branch has also worked very closely with the Inter-Governmental Relations Branch in its capacity as Beaufort Sea Coordinator in discussing with the major proponents the socio-economic benefits that should accrue to Yukon from the development. It is expected that these discussions will lead to the signing of socio-economic agreements and letters of understanding that will detail the measures to be put in place in order to ensure that those benefits are forthcoming. Similar agreements are expected to be negotiated within Yukon Barite, Amax and Westmin Resources.

The Special Programs Branch of the department is primarily responsible for energy planning and policy formation for Yukon. It is actively involved in all levels of discussion and negotiations on energy matters with the federal government, the utility companies and the communities and other organizations involved in the supply, distribution and consumption of energy in Yukon. Related to these responsibilities, the Special Programs Branch has initiated studies of Yukon's energy alternatives. These studies will identify which energy sources Yukon should be developing to meet its future energy needs, and to ensure that energy costs and availability are removed as a constraint to the realization of Yukon social and economic goals.

The Canada-Yukon Conservation Renewable Energy Demonstration Program is one of the tools being used to identify solutions to Yukon's energy problems. Through this program, we are attempting to develop suitable technology and conservation methods to reduce Yukon's energy bill and its reliance on outstanding supply resources. As the program is developed, increased emphasis is being placed on information transferred to ensure that knowledge gained from each project is communicated to those who can benefit.

The Special Program Branch has also begun to publish a quarterly newsletter containing information from the project that has industrial applications for energy cost savings.

Other information transfer plans include a series of five seminars, the first of which began on April 6, aimed at providing Yukoner's with up to date information on energy efficient buildings and renovating techniques.

Twenty Yukon tradesmen began a four week intensive training program aimed at upgrading skills required to retrofit existing residential buildings to improve energy efficiency. This training program, a Canadian first, is being carried out in conjunction with Yukon College.

In Whitehorse this September the branch will be hosting a symposium on biomass as part of the annual conference of the American Association for the Advancement of Science, Alaska Division. The Conservation Renewable Energy Demonstration Agreement funded the installation of the wood chip fire boiler at the Eliza Van Bibber school in Pelly Crossing. It is expected that this boiler will replace 25,000 litres of oil per year and will demonstrate the feasibility of installing similar heating units in other locations in Yukon. This program is also funding the largest residential energy retrofit project in Canada. One hundred private residences and two apartment buildings housing Yukon senior citizens will receive various levels of energy-related improvements. This project alone could save the equivalent of 330,000 litres of oil each year, as well as provide employment and training for Yukon tradesmen.

The Energy Conservation Incentive Program, initiated in 1980, provides conservation incentives to commercial and institutional establishments. This program is scheduled to terminate in March of 1984 but we are hopeful that we will be able to extend it past this date. A total of 89 energy audits have been conducted on Yukon buildings and annual energy cost savings of over \$500,000 have been identified.

With the assistance of Government of Yukon building inspectors,

the Special Programs Branch has commenced energy audits on municipal and government buildings. To date, audits have been completed on the F. H. Collins High School, Stan McCowan Arena and Jim Light Memorial Arena. In these three buildings alone, over \$100,000 of energy costs could be realized if the identified recommendations are implemented.

Finally, the Special ARDA program administered by the branch has been extended for a further two years. Final completion date for projects is now March 31, 1985. Since the commencement of the program in 1978, a total of 96 projects have been implemented under this Canada-Yukon agreement. The total value of contributions is in the magnitude of \$4.2 million, between the two orders of government.

I am certain that you, Mr. Chairman, and other members of the House, are quite familiar with the current status of our land claims negotiations. I do believe that progress has been made with respect to resolving the six outstanding issues that have been on the table since last December and that have precluded us from continuing our negotiations. The officers of this branch have made significant progress in the pursuit of an equitable settlement and have made every effort to ensure that the interests of all Yukoners are considered in land claims discussions. They have also worked hard at maintaining public awareness of the issues at hand and, to that purpose, have prepared the recently released land claims information package. To date, approximately 400 copies of this package have been distributed to interested individuals and groups. We have continued to be involved in the COPE negotiations and I am pleased to report that negotiations are proceeding in an atmosphere of goodwill.

The Intergovernmental Relations Branch of this department has an extremely broad mandate. It is responsible for policy analysis and coordination on all matters with intergovernmental or interdepartmental considerations for the research and development of policies and positions on matters of general interest to the government, for the maintenance and development of our relations with other orders of government, for protocol services, for special issues where there is no clear departmental responsibility, for our Emergency Measures office, for the coordination of all of our Beaufort Sea-related activities and for all of our activities related to the pipeline.

Over the past several months, the officers of the Intergovernmental Relations Branch have been very closely involved in the implementation of our employment development program and have provided valuable assistance to the Department of Education in this regard. It will be remembered that it was members of this branch who chaired the task force on job losses last year who developed the job creation programs we have now put in place. Officers of the branch have also materially assisted in negotiation of the NEED agreement and the Canada-Yukon training agreement.

“ Their efforts in both these areas resulted in significant benefits accruing to Yukon.

Other officials of the branch have been negotiating a flood damage reduction agreement, have prepared and negotiated a memorandum of understanding on emergency measures, have chaired a task force and developed draft policies on the transportation of dangerous goods and on hazardous wastes, have negotiated a residual heat transfer agreement and have participated strongly in the inter-provincial advisory committee on energy. They have coordinated a review of all three levels of government on the Marwell flooding problem.

The Intergovernmental Relations Branch has also been involved in the preparation of the Annual Alaska-Yukon-B.C. heads of state meetings. One official serves as the chairman, Yukon Region, for the Governor General's Canadian Study Conference and also acts as secretary to the federal Interdepartmental Coordinating Committee.

This branch has worked very hard to maintain contacts with other governments and has been particularly active in respect to our relations with Alaska. One result of their work with Alaska has been a recognition by the state of the significance to Yukon of the Shakwak Project. Their efforts in this area have had some effect on the state's decision to continue some level of funding for this project. This branch will be making a major effort over the coming

year to improve and expand our relations with Alaska.

Although the Alaska Highway Natural Gas Pipeline is on hold for the time being, the Intergovernmental Relations Branch continues to monitor activities and has worked very hard and successfully in having the pipeline corridor reduced in width from eight kilometers to 240 meters. This has made available a significant amount of land that, up to now, has been withdrawn from disposition. The branch continues to coordinate all Yukon government activity relative to the pipeline and acts as a single window for the proponents and for the government.

As you are aware, activity in the Beaufort Sea is expected to see a significant increase this year. All three of the major proponents have signed multi-year exploration agreements, which will result in hundreds of millions of dollars of investment and over 1,000 jobs.

Gulf Canada has made application for the construction of a temporary support facility on Yukon's north coast. In light of these developments, the branch has adopted a very aggressive approach in its dealings with the proponents. Several meetings have been held with Dome, Gulf and Esso to develop procedures and policies to ensure that Yukon labour and business receive a significant level of benefits from the development. Meetings scheduled for later this month will, we are sure, see the implementation of hiring, training and business opportunity measures that, over the course of the next few years, will result in major employment benefits for Yukon labour and millions of dollars for Yukon business.

We are particularly aware of the implications of a temporary marine base on Yukon's coast for Yukoners' involvement in Beaufort development. A substantial amount of our work on employment, training and business issues has been directed at including Yukoners in any operation that may take place in north Yukon. The Intergovernmental Relations Branch is monitoring Gulf's and the federal government's work on the shore base proposal and is engaged with DIAND in reviewing a study of the socio-economic benefits to be derived from such a facility.

More generally, the branch is coordinating the on-going series of socio-economic wildlife and heritage studies designed to prepare the Government of Yukon to react in a fully informed manner to oil production proposals. A number of these studies were started in the 1982-83 fiscal year and the remainder will be phased in during the next four years.

It is worth mentioning some of the projects that come under this northern oil and gas action program to emphasize the significance we place on Beaufort activities and to illustrate the manner in which the branch collaborates with other departments within our government.

45 In consultation with the Advanced Education and Manpower Branch, Intergovernmental Relations conducted a skills and employment interest survey that identified over 1,000 Yukoners who are interested in jobs in the Beaufort. The information from this survey is now being used by the Department of Education in planning training programs. The information is also being shared with CEIC so that Canada Employment and the Government of Yukon can work in a cooperative manner on the placement of Yukoners in Beaufort jobs.

Similarly, Intergovernmental Relations, Municipal Affairs and Economic Development managed different components of a community impact study in a cooperative and mutually supportive manner. The scope of this coordinated work will expand greatly with the increase in the number of research studies funded under the federally-sponsored northern oil and gas action program.

Our research into various aspects of Beaufort Sea development will help the branch in its continuing involvement with the Beaufort environmental assessment review process as with other aspects of oil and gas work. The Intergovernmental Relations Branch is coordinating Government of Yukon's response to industry's environmental impact statement. The next phase in this exercise is the preparation of the presentations of the Beaufort panel during the upcoming fall hearings. This branch will be working closely with the departments represented on the Beaufort Sea task force in developing this presentation.

The Ottawa office continues to serve this purpose in developing a framework of relations with federal officials in Ottawa. During our

past year of fiscal restraint, this office has provided an additional service to many departments of this government. The associate deputy minister has represented officials at approximately 29 meetings that resulted in the savings of travel costs of approximately \$45,000 that would otherwise have been borne by this government. These meetings were one or one-half day meetings that, as a result of the Ottawa office, members of this government did not have to attend.

As can be seen from the foregoing, this department is responsible for a great many of the key issues facing Yukon today. I am confident that the department will continue to provide this government with the services and expertise that we require.

Mr. Penikett: A quick procedural question: we will not have available to us a *Hansard* or even a blues, obviously, of the government leader's statement. I wonder if, as a courtesy, it would be possible to get a photocopy of the statement he just gave the House so that we can intelligently pursue some of the issues that he has raised this evening?

Hon. Mr. Pearson: Someone would have to do some work in respect to it because, in fact, although I was working from notes, they are edited. I will see what I can do.

Mr. Chairman: We are now recessed until 7:30 this evening.

Recess

Mr. Deputy Chairman: I will call the Committee of the Whole to order. We are on general debate.

Mr. Byblow: On the one hand we appreciate the depth and length of the government leader's introductory remarks because, to a large extent, he addressed a number of concerns that, as a consequence, may eliminate certain questions. By the same token, having said what was said, we certainly have reason to raise several others.

For the record, I want to say to the government leader that we appreciate the notes that he supplied, over the supper hour, to us. They are very useful to summarize the detail of activities that his department, in this case, has been working on. Ironically, at the same time, I think some appreciation should be extended to the *Hansard* editors who compiled a copy of the blues, also, in that same time. Certainly, on the suggestion of the leader of the opposition, we have two very excellent documents here to work from. I say that in all appreciation.

By way of introduction, in response, I want to address the question of economic planning in the long term and the question of developing an economic strategy. I believe we all recall that this department was a combination of two branches in a reorganization exercise that was done last year.

⁰² At that time, we certainly applauded the move. We assumed that the criticisms that we constantly made of this government in terms of its economic planning, to some extent would be addressed. I believe this department, to a large extent, was responsible for the package of economic papers that was put together last fall, and presented in Edmonton, which, to some extent, outlined the direction of this government and its concern for its economic direction. I suppose what I want to pursue with the government leader, in the first instance, is the actual direction and general thrust of its economic strategy. I recognize that the government leader has been working on an economic agreement, the EGDA, with the federal government, and he has advised us that on the one hand there may be a ministerial statement addressing this later in the session, and that is well and good. I look forward to that. He has also indicated that there may be a need to recall the Legislature later this summer to put together the legislative authority from which the money under this agreement will be allowed to flow. In the statement we had, just before supper, we had quite a detail of projects and studies and programs that the department is pursuing. I am still left with a lack of understanding about the overall economic plan of this government.

⁰³ And I want to say that I recognize the difficulties in composing such a plan, if you will; certainly with the current status respecting

resources, with the current status respecting land claims, with the current status respecting the authority and ability of this government to effect direct control over the economy, I can understand the problem this government is facing. I would probably put the question something like this: is this government currently engaged in a survival mode until we see the economic indicators restored on their own? Is this government of the opinion or of the philosophy that the federal government has to take the initiative and lead in economic recovery? I am very curious in a general way about what this government has as its principal policy direction in the economy. I have a number of other questions of lesser importance to raise. I would prefer to hear a response to this before I pursue the others.

Hon. Mr. Pearson: It is interesting that the member used the word "survival" because that is in fact the only word that I have written down as an answer to the rather convoluted question that he asked. Survival — that has to be the name of the game and, surely, he must be the last member in this House that I have to tell that to, at this point in time. In spite of all of our grandiose schemes and words, and so on and so forth, in this House, the fact of the matter is that we are a colony of Canada, we are treated as a colony of Canada by the federal government and we must, in fact, gear everything to survive as a colony. Until we do have control of things like resources; until we do have some sort of a resource revenue sharing agreement with the Government of Canada so that we can be masters, to some degree, of our own destiny, it is strictly a case of survival, particularly at this point in time. This recession or depression that we are in was not the making of this government; no way. It was absolutely beyond our control and it is not going to be this government that is going to get Yukon out of the depression or recession, either.

⁰⁴ In fact, it is going to be the federal government that has to do it. We have been saying this since last August. We made it clear to the federal government last August that this is what had to happen. The federal government caused the depression or recession in Yukon and they had to see us through it; nothing has changed.

Mr. Byblow: Extending from that, there are a number of areas I could debate with the government leader that this government does have some measure of control over, and certainly we have debated these in the past. I want to get more specific in this exercise of economic planning and predictability. The government leader made reference to having anticipated an exodus of some severe proportions by next spring. I believe the figure used in some previous discussions was in the magnitude of 5,000 people, and I recall when we were into discussions surrounding school populations and anticipating enrolment figures, as well as staff complements, somehow the figures projected there did not jibe. I suppose, to put the question in "sync" form, on what basis has this government predicted its 5,000 population exodus within a year?

Hon. Mr. Pearson: Those are pretty old figures now; in fact that estimate was made last August and it was the worst possible scenario. I am surprised at the member asking such questions. It was detailed in the economic package that we put together. We substantiated that number to the cabinet committee in Edmonton. It was based on some factors that did not come into play at that particular time. One of those factors was that we did not know then that Cyprus Anvil was going to offer housing to their employees over the course of the winter, because they had, at that point in time, the same option that United Keno Hill had. They could have told their employees, "No, you are no longer at work and you are out of the houses". I submit to you, had that happened, we would have had an exodus of 900 more people, right then and there, from the territory, immediately, without any question. I have been happy to report that the worst possible scenario was not reached. We anticipate now that the exodus from the territory is going to be in the magnitude of 2,500 people, at the worst. I am very happy about that. I believe that that change is going to be one of the things that is going to put Yukon on the road to recovery faster than anything else that could possibly happen us.

⁰⁵ **Mr. Byblow:** I, too, am surprised that the government leader would be surprised that I raised the point of the number, because it was a number referred to in this year's Throne Speech. I recognize

though, that that may have been information gathered from some of the economic analysis and predictions of last fall. To complete the line of thinking on the subject, the worst possible scenario, the government leader is telling me, is no longer the case. Quite obviously, we are all pleased about that. In fact, the next scenario appears to be one which sees one-half of that exodus. I suppose, in a general way, I might want to know what then is the basis of the budget, but that is coming out in fine detail.

Respecting the reference that the government leader made to discussions that he has had with United Keno Hill mines, I would be curious, on this subject, what those discussions were and how this government can encourage the reopening of that mine. I believe the expression the government leader made was "some anticipation of reopening this summer". To what extent is this government participating in the kind of exercise that would see a hastening or an improvement towards the climate for reopening that mine?

Hon. Mr. Pearson: That is a perfect example of how this government's hands are tied. We have absolutely nothing to do with United Keno Hill mines in that they are, if you will, creatures of the federal government. It is the federal government that controls the mineral resources and mineral extraction of the resources in this territory; not this government. It is the federal government that does all of this. It is the federal government that has the right to collect the royalties from United Keno Hill mines.

I think there is something else that we must make abundantly clear. United Keno Hill mines has said, from the word go, that they are not going to seek any government assistance, federal or territorial. It is quite different from Cyprus Anvil in that they have stated, categorically, that they do not intend to go back to work if they have to get federal assistance to do it. Either they can make it on their own, or they are not going to make it all; that is a fact of life.

They have indicated to us a desire to get back into production. They have some issues that they have to clean up. We are not part of the issue. We are not part of the problem and, I might say, nor is the federal government. Their problems are ones that they have perceived internally; they are trying to deal with them. They have not asked for our help or the federal government's help. All I am reporting to the House is that there is, I think, a reasonable possibility that United Keno Hill mines will go back to work during the course of this summer and, as with Cyprus Anvil, I sincerely hope that that is correct.

Mr. Byblow: I suppose that, to some extent, indicates something about the basis upon which this side and the government's side differ in terms of government participation affecting the economy. I do not wish to get into a debate at any great length, but it does give rise to the observation that, if the government does not feel it has any responsibility towards, or any obligation for, initiating some action to advance an economic restoration of activity, then certainly those forces that choose to govern it will continue to govern it. And that is a place where I think government ought to be taking much more of an initiative, and especially in those areas where it has some direct control, some direct influencing ability. Certainly, this government has heard from me in the past about the kind of infrastructure aspects that could be advanced and, to some degree, this government is doing that. I certainly did not want to get into a debate about the Faro access road or anything like that at this time.

I want to get specific about the references the government leader made to mineral policy. Again, we are into an area where the government will claim that it has no direct control over this aspect of the economy, should it be pursued as a resource that will spin off some benefits. But the government leader did mention that the department is continuing research and the preparation of a mineral policy. What does that mean and what is taking place?

Hon. Mr. Pearson: That means that, some day, we are going to have control, whether the federal government likes it or not, because, some day, we will probably have, hopefully, a federal government in Ottawa that will listen to the pleas of this territory and we want to be ready at that point in time.

Mr. Byblow: We could not disagree with that. Perhaps the means and the method by which we might implement a policy may

very well differ, and that we can continue to debate *ad infinitum*. The government leader made reference to socio-economic agreements and letters of understanding that this government is assembling and putting together with respect to, I would assume, Beaufort interests. At the same time, I believe the government leader referred to the barite company out of Ross River, as well as Amax, and I assume the government leader is talking about the continuing efforts, albeit slow, in the Mac Pass area. And we have advocated with this government the need for planning agreements with these resource developing companies. What is this government doing with respect to developing planning agreements with resource based companies?

Hon. Mr. Pearson: That was part of the reason why I provided the notes to the hon. member, because I really thought that it would stop him from asking the same questions over again. I think I was very explicit in my opening remarks. I can reiterate it all now, once again, but I suspect that it will suffice it to say that the deputy minister of the department is in Calgary on this very issue, once again. We are actively engaged in negotiations, particularly now, with Gulf; to a lesser degree, with Esso — however, they had representatives here last week — and to a bit lesser degree with Dome — on all three fronts in respect to the creation and the signing of socio-economic development agreements with them; agreements that we hope are going to guarantee that Yukoners are going to be the major beneficiaries from a social and an economic point of view to development on Yukon's north coast.

Mr. Byblow: I can certainly agree with the government leader on the need for that, even to the extent of going a step or two further; that agreements must be put in place that will, to some measure, guarantee the kind of security in those developments for Yukon that would avoid the kind of boom-bust cycle that we have become rather accustomed to. That is a very complicated, lengthy process and certainly we would probably differ philosophically as to the degree of government involvement in securing those kinds of guarantees.

In reference to Yukon Barite, is this government providing any direct assistance, aside from the upgrading of the North Canol and perhaps some additional road work, to that company in any other form?

Hon. Mr. Pearson: No, it must be clearly understood that it is not a result of the actions or inactions, if you will, of this government that the Yukon Barite situation is on hold at this point, at all. It is a legal matter that is in the courts, and if not in the courts, at least it is contemplated that there will be litigation. I am in no position at all to comment further on that aspect of it. There is a major problem. We thought that the project was off the ground and going; and it was, quite well. However, this legal problem has come up between the two major proponents in the operation, and until they have that legal problem solved, it would seem that it is not going to go anywhere. Indications are that it is very close to being resolved. I know that Gulf, in particular, is still very interested in purchasing barite from Yukon Barite, and they are still hopeful that they are going to be able to do that over the course of this summer.

Mr. Byblow: Just by way of wrapping that topic up, beyond the upgrading of the North Canol road, is the government providing any other form of assistance, or has it provided any form of assistance, to that mine in a way that would extend or improve its ability to come on stream?

Hon. Mr. Pearson: We have been busy with Mr. Dodge for a year and one-half, that I am aware of now, at least. We have done what I consider to be virtually everything that we can do, short of putting the mine in production ourselves, in that we have provided training programs for local people in Ross River — we are prepared to do more of that kind of thing — we have lobbied the Government of Canada on behalf of Mr. Dodge in respect to permits and licensing, and so on and so forth. We have cooperated with him in every way that, I think, could be considered reasonable, in respect to the construction of an ice bridge, in respect to making sure that there was some place for him to stockpile the ore, on the far side of Ross River prior to the construction of the ice bridge. I just think that right from day one we have been as cooperative as we possibly

could be, short of taking over and doing the job ourselves.

Mr. Penikett: There is a question of what we are getting in return, but, I will not ask that at the moment. I do not think the government leader and I should probably debate that subject tonight either; frustration I mean.

I have a few fairly specific questions for the government leader, and I want to say before I begin to put them to him that I appreciate his opening statement about his department, and I appreciate the form in which we received it because I think this will come clear to him, it will facilitate expeditious deliberation on this item. There are some questions, I should tell you frankly, that I might have asked had we not got the statement; I probably will not need to now.

By way of a comment before I get to my questions, I notice much more frequent reference this year in the opening remarks to this phrase "policy analysis" as a function or activity of the office, and I am going to later ask the government leader a little bit more about what is meant by that in this department.

The first question I want to ask him relates to the discussion on the second page of his statement about the efforts to negotiate an economic development agreement with the Department of Indian Affairs and Northern Development, and there is an expression of the hope that a joint Yukon economic development strategy will be forthcoming in the near future. As has been mentioned time and time again in this House, I believe we have discussed the creation or the development of an economic strategy for Yukon since 1979, to my memory, and it may well have been discussed before that. I understand the necessity of a marriage with the "feds" on such a venture, but I had never been aware before that it was inevitable that there would be, if you like, a joint statement or a joint product come out of it. I must frankly confess that I had imagined that there might be a statement coming from this government, which would parallel other statements from the federal ministers which have come out from time to time, and I am sure the government leader has read as many of them as I have.

Could the government leader tell us something about this joint economic development strategy? Could he indicate to us something about the form of the talks to develop it, at what level have those talks gone on? I assume they have not really involved him and Mr. Munro personally, I assume they have involved senior officials but I appreciate having that confirmed. Will it in fact be a complex detailed economic statement with economic accounts and economic projections, and that kind of thing, or is to be more of a conceptual document or even a philosophical statement? Perhaps having asked the general question in that form I might ask the government leader if he could respond.

Hon. Mr. Pearson: I believe that, in the final analysis, it will be very much a conceptual document. I do not think that there will be very much of a philosophical statement in it. I think the questions asked by the leader of the opposition have prompted me to really go back and explain why I think this is happening. This is a different deal than the last time, when we talked about an economic development agreement with the Government of Canada.

Members will be aware of the fact that we have negotiated, over the past few years, a number of cost-sharing agreements with different departments of the Government of Canada. In particular, the Department of Energy, Mines and Resources, that is so engaged with this government now that it has an office in this town, with respect to cost-shared agreements that we are jointly working on.

I must remind members opposite, as well, that it is the policy of the Government of Canada, and has been since 1973, that the Minister of Indian Affairs and Northern Development is considered to be the prime and responsible federal minister for everything North of 60 in Canada. Every department of the Government of Canada is required, by policy of the Prime Minister, to clear everything that they do with the Minister of Indian Affairs and Northern Development. That is a fact of life; it does exist. We do not like it, but it does exist.

Over the years, successive ministers of the Government of Canada have said to this government, in all of its forms, "Look, if you can deal directly with the department, and you can get a better deal from them without us involved, by all means go ahead and do

it". There has been a change with the current Minister of Indian Affairs and Northern Development and his bureaucracy because, what has happened now is that every federal department has been told that it cannot, in the future, sign any more agreements directly with this government, without the Department of Indian Affairs and Northern Development being involved. Their involvement is that the money will be channeled, for instance, from the Department of Energy, Mines and Resources to the Department of Indian Affairs and Northern Development to the Government of Yukon.

This is why we have had an agreement that we negotiated directly with the Department of Regional Expansion with respect to tourism for the territory, that that department very much wants to put in place. I honestly believe that that department would love to get their agreement going in the territory as quickly as possible. However, the Minister of Indian Affairs and Northern Development has issued an edict and it is sacrosanct; there is nothing that can be done about it, we do not think, but we always keep trying. However, at the present time, we do not think that there is anything that can be done about it. We are not going to be able to participate directly with the department unless we can get some sort of dispensation from the Minister of Indian Affairs and Northern Development that, at this point in time, we do not have.

In the meantime, we started negotiations with respect to this economic development agreement in early November and have been at it ever since. The negotiations are at the director level in both governments and at the deputy minister level in both governments. The leader of the opposition is correct; short of the minister and I both expressing to our officials dismay at the fact that we have not gotten anywhere with this thing yet — it was supposed to have been signed by March 31, of course, for the new fiscal year — there have not been any ministerial or political negotiations go on at all, because there are the basic fundamentals that have to get ironed out by the officials first before it is even reasonable for the discussions to go on at the political level.

Mr. Penikett: I thank the government leader for his answer. I guess he has made it clear we are debating frustration, after all. I want to ask him a little bit more about the economic development strategy. The general question I want to put is: is it to be mainly embodied in the general development agreement as some kind of statement or appendage, or is it going to be more comprehensive than that? Let me ask: would it, for instance, include certain specific medium term commitments by this government and various federal departments or even by this government and the federal Minister of Indian and Northern Affairs.

Let me explain what I have in mind. There were some areas in our economy which clearly are under federal jurisdiction; there are some that are under territorial jurisdiction, but my notion of planning would always be that, to achieve maximum development in any of those sectors, you require coordination. Transportation policy, if it is not linked to resource policy, could be counterproductive. Much of the transportation policy, even that which is created with federal money, is under the control of this government; resource policy is still under the control of the federal government. There is a manpower training policy which is now an area which appears to be one of shared jurisdiction. My question relates to those kinds of elements, which in any kind of economic development strategy that is formed anywhere in the world, would have to be covered, even if it is not very specific; there would have to be some general statements, some broad plan or vision of objectives, whether it is on a three year or a ten year or five year program. I wanted to ask the government leader, if it is going to get that specific, is it likely to include general commitments in those areas or is it going to be more a visionary statement? He used the word "conceptual". Is it going to be simply a statement that says this is where we would like to be five years from now, but we really do not know how we are going to get there yet?

Hon. Mr. Pearson: No, it will not be conceptual to that point. I would suspect what it will end up being, hopefully, from our point of view, a statement that will say this is where we will be five years from now and this is how we are going to get there; or, we are going to get there by doing this, this and this. Now, we do not know the specifics of exactly how that is going to be done, but

these are the goals. One of the problems that I have perceived throughout the negotiations — and I think it is going to come down to the nitty gritty — is that the people who are doing the negotiating for the Department of Indian Affairs and Northern Development who, I must remind you, live in Ottawa; some of them probably have never been in the territory; some of them might have been here one or two times, getting in at four in the morning, and things like this, arriving in the dark and leaving in the dark. However, that is probably their claim to fame. They are going to want to be very specific, because they are going to want to be able to tell us exactly what is going to happen with that federal money.

There has been a real change in the whole attitude of the federal government towards the spending of federal money in the regions of Canada. There are policy edicts out by the Prime Minister that no project that the federal government puts money into can ever be opened or put in place in this territory, or anywhere else in Canada for that matter, without a federal minister being there; at the very least, a Senator being there. We have seen that happen in the past year. We have seen that change. The federal government has decided that the provinces and the territories, over the years, rightly or wrongly, have been able to garner some political kudos for the spending of federal money in any particular region.

The Liberal government in Ottawa has decided that that is not going to happen anymore. If there is federal money being spent, everybody is going to know that it is federal money. By the same token, they have a bureaucratic force in Ottawa that is very strong. Once again, they are fighting for survival as well, particularly in the Department of Indian Affairs and Northern Development. They are going to try their darndest to make sure that their will is imposed upon us. We, on the other hand, are being as adamant as we possibly can be in saying: look, it is only right and it is only proper that those decisions are made locally by local people.

Mr. Penikett: Before I ask the government leader one last question on this point, let me say that, as he has outlined it, it sounds at long last like there is a fairly sound basis for developing some kind of economic strategy for the territory. I commend those involved for that. I will not attempt to anticipate the specifics and, in fact, the first opportunity I will have to respond is in reply to the ministerial statement which the government leader has indicated he hopes to make on this subject before the end of this session.

His statement refers to three subagreements that have been developed in draft, and others that are expected soon as part of this ongoing process. Without getting too specific, could he indicate to us the subject of the subagreements, or the area of those subagreements in a way that might indicate to us something about the nature of the whole thing.

Hon. Mr. Pearson: One of them, of course, is the tourism subagreement. Another one is energy studies and a third one is with respect to the Yukon River Basin Study.

Mr. Penikett: I thought that the river basin study was farther along than that, but I guess that those things take longer than I expected.

I have read the various comments by the ministers opposite on the subject of the assistance to Cyprus Anvil with some care. I must say that I am not perfectly clear on the meaning of this government's commitment in at least one respect. The government leader's statement talks about the \$1,600,000 in commitments. Once it is clear, the mine is returning to full production. Without suggesting, as some might, that the aid will be available just at the point when it might least be needed; I am not suggesting that.

Can the government leader elaborate a little bit about what he means "when it is clear". Does that mean that the \$1,600,000 package would not be available to the company in all its forms until such time as there is physical evidence that the mine is back in full production? Or does it mean that the aid might be available once there is some kind of contractual understanding, or agreement between this government and the company, that the mine will start up in full production on such and such a date? Could this \$1,600,000 be available this winter, for example, if the mine said that we have made a firm decision to open up on April 1st, or March 1st? Could he just elaborate a little bit so that I could more clearly understand the nature of the commitment.

Hon. Mr. Pearson: It is going to have to be something far more substantial than the company saying that they are now ready to open up or that they have a contract to open up or they hope to open up in May. The very nature of the aid dictates that. One of the things that we are going to be doing is turning over a substantial amount of cash to the municipality with respect to a grant. Another is that we are going to enter into a contract with them with respect to the maintenance of their road to the mine site. I do not believe that they are going to be prepared to enter into such a contract with us until they are actually in operation.

Another factor of that \$1,600,000 aid package is that we have undertaken to purchase housing that we anticipate that we will need in Faro for our employees, given that we have a requirement for those employees at that townsite because Cyprus Anvil is in full production. I respectfully submit that the nature of the aid is such that it pretty well requires that they be in production before it is going to be forthcoming. I have written to Mr. Forgues and reiterated this government's willingness to enter into this kind of a scheme with them, given that they are going back into production.

I recognize that the member for Faro feels that it is pretty paltry but, as I pointed out, what we are suggesting, to us, is an awful lot of money. I would like to devote a like amount of money to my old home town of Mayo. I am sure that the member for that area would be quite happy with that as well. However, that is not the practical thing to do. I consider the practical thing is that we try to get Faro back on its feet again.

Mr. Penikett: I will leave others to pursue that issue, if they wish. I want to move on to the reference contained in the government leader's statement to the recently commissioned study on the socio-economic impacts of large projects in the Ross River area. It says that these studies were cost-shared by the Department of Indian Affairs and Northern Development and examined a variety of projects being considered in the area of the community. Are those reports public yet? Are they ready for tabling in this House, or are they still under study by officials?

Hon. Mr. Pearson: As I indicated, they are cost-shared. I believe that they are still under very active study and I believe that some of them are still, in fact, ongoing. We have done a considerable amount of work in this area but we anticipate, like the federal government, that the Mac Pass area, particularly, is going to be the next area of the territory that is developed. It is going to impact on Ross River quite substantially, so there are a lot of studies going on, and the federal government is involved with them.

I am quite prepared to follow-up, on behalf of the leader of the opposition, to see exactly how much detail we can give to him. In fact, I would respectfully suggest that if he was prepared, at the time, to sit down with one or two of the people in the branch that is working on this, I am sure they would be more than happy to bring him up to date on exactly where we are with these studies.

Mr. Penikett: I would be happy to accept that offer and I am sure those officials reading this exchange will perhaps contact me when they have some time available and I will follow up on it.

I want to ask, pursuing the same point but not on the same specific, about the socio-economic agreements referred to in the minister's statement which he expects to be negotiated with Yukon Barite, Amax, Westmin, and so forth; could the government leader briefly indicate to the House what kind of elements he would see included in such agreements. Would there be specifics about, not Yukon local hire, but perhaps Ross River local hire, or would there be specifics about the hiring of women or the hiring of natives, or would there be specifics about training that should be provided by the employer, or exactly what kinds of things would be included?

Hon. Mr. Pearson: In respect to Yukon Barite, I would respectfully suggest that it is highly likely that there would be a specific about Ross River hire, firstly, and Yukon hire secondly.

In respect to the Beaufort agreements that we are hoping to enter into, we are making it very very clear that when work is being done off Yukon's north coast, then Yukon must get preference for hiring, for business opportunities and for everything that is possible. I might say that this kind of agreement is not new. They have signed them in respect to the Northwest Territories, and some of them — for instance, Dome — some time ago, in respect to the work that

they are doing off the north coast of the Northwest Territories. We are not breaking any new ground with the companies. They fully expect to negotiate and sign these kinds of agreements with us. We are trying to be very careful, if you will, to cover the waterfront and make sure that we are getting everything that we possibly can into these agreements, to make sure that Yukoners are going to be beneficiaries of development in that part of the territory. Because, after all, it is the only way that we can be sure that we are going to get some sort of compensation for the use of our resources.

Mr. Penikett: I accept the government leader's point; also, I was well aware that such agreements are not new. I would suggest to him, however, that compliance with such agreements is newer than the agreements. He will know, as I do, that there are many cases, even in this territory, when such agreements have not been respected fully. I will remind him that I once worked at a mine that was, according to the planning agreement with the federal government — and other people, and not a party with some considerable power I think the government leader will admit — signed a 25 year production agreement which was violated by the company in the first year of operation, and it turned out to be not a 25 year mine but a 12 year mine; at some considerable cost to the taxpayer, I would point out. I am just curious about what the government leader says because the problem of compliance is a serious one. I think he will probably admit that the federal government has a tad more power than the Yukon government when dealing with such entities as Amax, and so forth. Could he say something about his own philosophy, his own approach and his own policy in dealing with the difficult compliance issue?

Hon. Mr. Pearson: It is a case of persuasion. Usually it becomes a moral issue with these companies. I am very familiar with the specific issue that the leader of the opposition is talking about. I happen to know that, had the Government of Canada even murmured, there would have been a change. I honestly believe that what happened in that specific instance was the board of directors said, one day, let us fly the flag and see what happens. They flew the flag and nobody even murmured and, all of a sudden, they were faced with a *fait accompli*. They said, let us get out while the getting out is good.

I honestly do not believe, for a moment, that that company, in all the time that it had done business in this country, anticipated that they were going to be allowed to get away with that. I believe that most corporations, like the mining companies that are operating here or the companies on the North Slope, are fairly responsible corporate citizens; they want to be, I believe. They want to be perceived as being responsible corporate citizens. I believe that they are prepared to go to the lengths necessary to ensure that they do live up to the social agreements that they sign.

There are instances. I can recall, with another large company in the territory, that, in 1967, signed an agreement with the Government of Canada with respect to employment, and they have not been able to live up to it. However, I respectfully suggest, it has not been because they have not tried. It has just been because there have not been the available people, in spite of the fact that there are people around looking for jobs. Each time they have been asked about it, they have been able to substantiate it, saying, "Look, we have tried, but we cannot hire them".

Mr. Penikett: I think the government leader will probably accept that it is not an easy question. I think it may be something that this House should appropriately, at some point in the future, discuss again, perhaps when we are dealing with some specific cases.

I want to move on, then, to the mention made in the statement of the "four-week intensive training program to upgrade retrofit skills"; the retrofit training program.

It is not exclusively, I understand, the minister's responsibility. I want to ask him if, as I understand it, the program was over-subscribed? If that is true, has the department concluded that there may be a need for other such courses in the future, and, if they feel there is a need, do they plan to have them?

Mr. Deputy Chairman: Before you continue, I would like to take a ten-minute break.

Recess

Mr. Deputy Chairman: I would like to call the Committee of the Whole to order, and after interrupting Mr. Pearson I would like him to continue on with his answer.

Hon. Mr. Pearson: Just to refresh members' memories, the question was in respect to the retrofit program course that is being held and whether or not it over-subscribed. It is a fact that there were more people who applied for the course than are actually taking it. However, the ones who are not taking it, if my understanding is correct, is for reasons literally beyond their control; they did not qualify for one reason or another and they were not able to take it and so on. I understand that there are some 22 or 23 people on the course now. I believe it could have handled more. The decision has been taken that, immediately upon this course being over with, there is going to be a short, intensive, I believe, about a three-day course for contractors, for contract owners. These are primarily people who took the course last year in respect to the CHIP program. It is felt that they would like some upgrading as well. I believe we are going to find that the course is going to be successful. I certainly hope it is, and if there is a need to conduct more of them, certainly we will be doing that.

Mr. Penikett: I thank the government leader for his answer. Staying within the question of energy and energy conservation, I wonder if the government leader can report progress on the energy audits of municipal and government buildings? I could not find it when I went back to my office, but I recall some numbers being quoted in the *Sluice Box*, the in-house publication here, about the expectations of savings and so forth. I would ask the government leader a very general question: could he say a little bit more about these expectations? I am interested in the question because I recall, when I was still on city council of this town, of what was then a \$7 million O&M budget, I went through and added up all the expenditures on energy for one year and I was surprised to find that in this city they came to over a million dollars, out of a \$7 million budget. That was a few years ago, and I do not think any effort had been made in this city to consciously reduce energy costs as part of the overall budget. I guess I have a kind of curiosity about what these kind of audits will show and what kind of savings may be achieved.

Hon. Mr. Pearson: We entered into a program here not quite a year ago. Our target is to cut the Government of Yukon's consumption with respect to energy by 10 percent within the year. We are doing that in a number of ways: the energy audits are one way. We also have had things done, such as a person go through this building, for instance, with a light meter and measure the light intensity on every desk in the government and start taking out the over-abundance of lights that we actually have in this building.

For instance, if you go into my office you will find that there are just about half that are not on at any time. They cannot go on as there are no bulbs in there anymore. The lamps are gone. To the dismay of NCPC, we have dramatically reduced the requirement for electrical energy in this building just by this one simple, straightforward means. We also have a policy in the schools where we ask the students and instruct the custodians to turn off lights when classrooms are not being used.

I am sure all members can recall driving by schools, in this territory in past years, at 10 or 11 o'clock at night and literally having seen them lit up like Christmas trees because a light was never turned off. Hopefully, that does not happen any longer. We have a campaign going in the classrooms, in the schools, trying to teach the children conservation as well.

I am not surprised at the leader of the opposition's statement that some \$1,000,000 of a \$7,000,000 was dedicated to energy. It is a very expensive commodity, especially in this territory, and we are really cognizant of that and are trying to do everything we can to reduce our energy costs; not only reduce our costs, but reduce consumption as well. That is the key: if we can actually get consumption down then we are going to help the costs for everybody in the territory.

Mr. Penikett: I would like to move on, if I could, to the next entity in this department's general discussion, which is the land

claims secretariat. I want to focus on the sentence in this report, at the end of the first paragraph, which says, "I do believe that progress has been made with respect to resolving the six outstanding issues that, since December 10, have precluded us from continuing to negotiate". I do not know whether it is a question of body language or phrasing or just the tone of his voice but, somehow, the government leader always manages to sound more positive and more optimistic on this question than Mr. Phelps or, to use another example, Mr. Lang.

This week, the government leader will know that the Yukon Indian chiefs are meeting to reconsider their position in light of the territorial government boycott.

One of the things that they are discussing is the issue of the one-government versus two-government or, if you like, one-government system versus reserve government system for themselves. As I understand it, this is to be a serious substantive discussion, and it is at least conceivable that the meeting could produce a decision to begin to negotiate on the basis of a two-government system — in other words, that the Council for Yukon Indians negotiators could be instructed by their bosses, who are basically the 12 chiefs, to go back to negotiations on the basis of creating a two-government system.

Without getting into another debate about how we feel about that, because I think the positions are fairly clear in the House, I want to ask the government leader a serious question about his strategy in this regard and about his strategy in the event that the chiefs decide to go that route as a result of this government's decision. Has he developed a contingency plan? Is his government, in the broadest sense, developing a contingency plan in the event of such a decision by the chiefs? What consequences flow from such a decision by the chiefs? How far ahead has he, in anticipating that alternative — because I assume that the secretariat has looked at the consequences of all sorts of different directions — looked at the costs of it? Has he looked at the social consequences, et cetera.

I ask that question in part because of the continual reference throughout this document to the business of policy analysis. I know that it comes under a slightly separate entity, intergovernmental relations, but I assume that some of the same people are involved in the same proceeds.

Hon. Mr. Pearson: I guess I should start out by saying that the reason I sound optimistic is because I feel optimistic. As much as the leader of the opposition might doubt it, I really believe that we are right. In the long run, the right prevails and reason will be seen by everyone, with respect to this matter. The fact of the matter is, our position is the only reasonable one. All we have to do is convince the Government of Canada of that fact. I indicated that there is progress. Mr. Phelps is in Ottawa today on this very topic once again. If there is as much progress made in this round of discussions as there was in the last round in Vancouver, we will be that much closer to getting back to the table. I want to make it very clear that there is absolutely no one who wants to get back to the table more than I do.

If the chiefs should make such a decision as to instruct their negotiator to start dealing with the federal government with respect to a two-government system, the consequences are too horrendous to imagine. What we would have then is Yukon in the same kettle of fish as all the provinces. I sat through a two-day conference with the Prime Minister of Canada, where it was very clear that the real problem that the aboriginal peoples in this country have at the present time, is that there is a two-government system in the provinces.

It simply does not work. I am confident that the 12 chiefs are quite cognizant of that fact. They know what the problem is. I recognize that they are very impatient. I understand their impatience. I hope that they can understand our impatience as well. The fact of the matter is that, given the attitude of the Government of Canada in respect to the six issues that we have raised with them, it might as well be a two-government system because the one-government system would not work. We could not make the one-government system fly, given the set of circumstances that the federal government have faced us with at this point in time.

I am confident that most people have not thought of them in

respect to a two-government system. One of the real pluses that the Council for Yukon Indians has had going for it ever since 1974, and one of the reasons that we are so close to the signing of the major comprehensive claim in Canada — the one that will be the precedent setter for the rest of Canada — is in fact because this is the only regional group of aboriginal peoples in Canada who have been able to get together as a group — status and non-status, all of them — and say we are negotiating for everyone. That is one of their major strengths, that is one of the reasons that this government has supported it so strongly, because in fact they are negotiating for all the native people. The provinces cannot do that. There is not another native organization in Canada that can say we represent all the aboriginal peoples of this region save and except for the Inuit Tapirisat in respect to their regions. I am talking about the aboriginal Indians. It just cannot be done in the provinces and I believe that it is a plus that the chiefs, being the clearheaded people that they are, are going to think about it very very seriously, because a two-government system does not include non-status Indians.

Mr. Penikett: Well I would like to pick up on exactly that point, because clearly the government leader is aware of one of the consequences of his boycott. It could be that the definition or criteria for benefit under the the claim could change and we could have a reserve system and a settlement claim which could lead to the entitlement being limited only to those people who are now on Indian band lists.

I think the consequences of that, not only in terms of divisions of the whole community but in terms of divisions of the Indian community, would be horrendous. One of the things that the Indian community has fought very hard for here is the right to define the membership of its own community. I guess at some point they thought they had won that battle but I think that is now in doubt.

Hon. Mr. Pearson: They are negotiating with the feds, not with us.

Mr. Penikett: If the government leader will forgive me, the Indian people are negotiating with the feds. Unfortunately, the Yukon government has become party to about 40-some agreements now, which means that the negotiations are three-way negotiations. The government leader has now put these negotiations in the position where they either have to go back to scratch and renegotiate from the beginning again, or surrender to the ultimatum of YTG which does not particularly have anything to do with land claims, according to him.

Since the government leader is quoted as saying that the boycott of land claims has nothing to do with land claims, and since he said that their demands have nothing to do with land claims, why has he decided to put a land claims settlement at risk with this dispute? Specifically, when did this government come to a decision that it would require a minimum settlement for itself of ten percent of the land in Yukon, or whatever the figure is, piggy-backed or as a rider on the Indian land claim in order to agree to the settlement? Could the government leader indicate to the House at what point that decision was made?

Hon. Mr. Pearson: I think I have answered this question probably 40 times, but I will answer it one more time. It has always been implicit — and I respectfully suggest to you that the leader of the opposition has always known that it was implicit — in any land claims settlement that land would evolve to this government. It did not matter who this government was. With respect to the ten percent, 15 percent or 20 percent, or whatever it is, I would like to remind you that we have talked principle with respect to this. I said at the very outset and the very first time that it was raised; we were not talking quantum. I do not care how much. It has nothing to do with how much; it is the principle because, in the end, it will end up being all. I know, in the end, it will end up being all because we are going to be able to outlast the Minister of Indian Affairs and Northern Development on this and, I think, so are the Indian people.

I cannot allow the impression to remain that it is the Indian people who are having to give in to any kind of an ultimatum that this government is making. We are not asking anything of the Indian people other than for their moral support, as Yukoners, that

this government get what it is in fact due. That is all. That is all we ever asked of the Indian people. That is all we expect of the Indian people with respect to this matter. It has nothing to do with their land claims settlement at all. Certainly, everyone must see and must realize that the argument is with the federal government. It is not our decision to make. It is not the Council for Yukon Indians' decision to make. It is the Government of Canada that has to make the decision with respect to this.

Mr. Penikett: I must say to the government leader that we disagree on this one. The government leader suggests that YTG's claim has always been implicit. He denies the figure of 10 percent or, at least, he does not attach much weight to the specific quantity. I want to emphasize to the government leader that, in my view, it makes a big difference what words you use here. I have always felt, as I think many people in Yukon did, that a large amount of land would come to the non-native people of Yukon as a result of a land claims settlement. It seems to me that the government leader's position is different from that. The government leader's position is that a large amount of land would come to the non-native people of Yukon, or the Government of Yukon, as part of the Indian land claims settlement. The government leader is nodding his head, but that is really his position.

Hon. Mr. Pearson: I am shaking my head, not nodding it. There is quite a difference.

Mr. Penikett: Okay, shaking his head. There is quite a difference, as is in the two positions I have just outlined. The government leader says, as he has said before and said again, is that he is not a party to the talks that, in fact, what he does want is to become a major beneficiary of the talks and you cannot be that unless you are a party; that is clearly what they are doing.

Without getting into the specifics about the land and the quantities of land, I want to ask the government leader this question, if you like, as a moral issue. The government leader somewhat evaded the issue when I asked him when the decision was made. He said it has always been implicit. Well, I suspect there are people who would disagree that it has always been implicit. However, even if I agreed with that, I suspect that some conscious decision must have been made, either by the negotiator or by the Cabinet at some point, to boycott the talks or to oppose a final settlement or to refuse a final settlement unless their demand was met.

The government leader has represented it as a dispute between the Yukon government and the federal government. I believe that is the case. However, the people who will suffer as a result of this decision are not the federal government, but the Indian people of Yukon. What is put at risk is their land claims settlement. I think the government leader must now admit there is, at least, the possibility, as a result of the boycott, that there will not be an Indian land claims settlement in Yukon.

The government leader made reference, based on his experience at the ministerial conference on aboriginal rights recently, of the situation in the provinces. I think it is exactly a dispute, such as the one in which he is engaged with the federal government, that is continued between British Columbia and the federal government; not about the transfer of land, but about the responsibility for the cost of settling land claims in that province. That has meant, for all practical purposes at least in the foreseeable future, that no land claims settlement can be contemplated or even negotiated in that area.

Mr. Penikett: I want to ask the government leader, and I try not to ask the question provocatively but I try to ask it seriously, at what point was the decision made that the price the government leader was prepared to see paid, if his demands were not met, was in fact the price of no settlement of land claims? In other words refusal to sign, the boycott of the talks only imply that they are prepared to make the beds and suffer the consequences. To use the poker analogy, it is the classic bluff. And I ask the government leader again, when was that decision made, because I assume it was a conscious decision?

Hon. Mr. Pearson: Once again, I believe that I have answered this question a number of times. On the morning of November 27, 1982, a date that is burned in my memory, a date that I shall never

forget, the Minister of Indian Affairs and Northern Development attended us in this place and at that point in time said, very clearly, for the first time ever, that what we considered to be a given — that there would be land transferred to this government, as a result of land claims — he made it very clear that there was not going to be land transferred to this government as a result of land claims. And I want to emphasize that I am using the words, "as a result of land claims". We have never ever perceived this to be a land claims settlement for the white people in the territory. That is just not so, but, it has always been, since 1973 — and I have been involved in it since 1974 when the land claims negotiations started — an unwritten fact that land would be transferred to this government.

There are people who have made application for land for over 10 years with this government, and have been told by the federal government, "We cannot transfer this land to the government of Yukon until after a land claims settlement. We will not transfer it to the Government of Yukon until after a land claims settlement". Every minister has said that until the Minister of Indian Affairs and Northern Development stood here on November 27, 1982 and said that there will be no land transferred to this government. If the leader of the opposition needs specific dates, it was in fact December 10, 1982 that we decided very deliberately that we could not, in all conscience, on behalf of the people in this territory, sit in those negotiations and be kidding ourselves, the people of the territory and the Indian people that we are going to be party to a land claims settlement that was going to be grossly unfair.

Mr. Penikett: If I remember my childhood correctly, I believe the situation described by the government leader used to be known in cowboy movies as a Mexican stand-up. If neither party moved from their positions, as the government leader stated, we would clearly get nowhere because I think he must admit that obviously one way in which the federal minister could be right in saying that there would be no land transfer would be if, in fact, the boycott continued and there was no land claims settlement. I believe then there would be no land transfer. I am also prepared to agree with the government leader that federal ministers of Indian and Northern Affairs come and go. The next one may be a very different person. At least, it is possible they could be more stubborn or more difficult, or they might be more accommodating and more benign. It is not inconceivable that it could even be a Yukoner. Not likely, but it is not inconceivable.

I want to ask the government leader, then, about an issue which I understand is a problem between the parties and I understand it is a subject of dispute between YTG and CYI, and it is not a subject which has been prominently displayed in newspaper ads or questionnaires; it is the question of resources and the constitutional development process. I heard what the minister, John Munro, said on that Saturday on that subject and, as the government leader full well knows, I took somewhat strong exception to some of the things the minister said on that subject. I had, for one of the brief moments in my time, an opportunity to say so to his face. Mr. Lang says that, no, I did not, but the government leader was standing right there when I was saying it to Mr. Munro's face, so he knows very well that I took objection. I also said it publicly in front of a television camera a few minutes later. I was "livid" — I think would probably be a good word. What I would like to know, since I understand that that is also an issue, and I understand — I would like to be corrected if I am wrong — that the territory has objected to participating in the constitutional development process, as it was described by Mr. Munro, dealing with issues such as resources which I understand the federal government believes ought not to be an item of present negotiations for fear it would set precedents elsewhere in Canada.

I am not sure if I am representing the federal position fairly because I have never really heard it directly. I understand the territory's position is that they do not believe that, following a settlement, CYI has any entitlement to participation in such talks on such a subject. I understand that CYI takes obviously a different view again, so that, to my knowledge, there are three different views on this subject.

I want to ask about this government's view of that question, if they can put something on the record now. I ask it in the light of the

government's participation in the federal-provincial aboriginal people's talks that have been going on about the *Canadian Constitution* — the recent conference which a couple of ministers attended and the conferences that will continue in the future — if this government is objecting to CYI participating locally. To my mind, is that not inconsistent with the participation of aboriginal peoples along with this government and the federal government at the national constitutional talks?

Hon. Mr. Pearson: We have no objection to the CYI participating locally in constitutional talks in this territory. We have encouraged members of the CYI to run for political office in this territory. Some members on this side of the House have been party to the gerrymandering of constituencies to ensure Indian participation in this Legislature. The bottom line, with respect to a land claims settlement, is that it must be final. If it is not final, if there is provision for some sort of a tripartite negotiation to go on afterwards, then, whenever are we going to be in a position to say to the Government of Canada, Here is the Yukon land claims settlement. This is the Yukon land claims legislation that we want you, federal government, to enshrine, like they have undertaken to do."

That is when the Council for Yukon Indians and the Indian people in this territory will, in fact, have their constitutional rights outlined like no one else's in the territory. We have negotiated some forty-odd agreements. I respectfully suggest to you that there are a number of constitutional rights in those agreements. The minister is now saying, "Let us negotiate them over again." We do not think that that is necessary. I think that, if the Council for Yukon Indians thinks about it seriously, they will agree that it is not necessary.

Mr. Penikett: I would like to ask the government leader then about his last answer about the forty-odd agreements. I honestly have no say in whether they be renegotiated or not. It will be interesting knowing from the government leader if it is his intention to respect those agreements, because he assumes that there will eventually be a land claims settlement or is it not his intention to respect them until there is a final agreement?

Has this government taken the position that it is willing and agreeable to having the complex constitutional question of resources and Indian lands dealt with at the bargaining table? Is it the case that it is only the federal government that has objected to that being dealt with at the talks now?

Hon. Mr. Pearson: This was the federal government's idea, and it came right out of left field. We have been negotiating constitutional issues at the bargaining table. Two years ago, the Council for Yukon Indians requested that we negotiate constitutional issues at the collective bargaining table. The rules for negotiations were changed in 1979 when Dr. Holmes was the negotiator. When Mr. O'Connor became the negotiator, he was told, explicitly, by the Minister of Indian Affairs and Northern Development, like we were, that the same rules that applied to Dr. Holmes, the same mandate that Dr. Holmes had, was going to continue. That mandate changed on November 27, here in this House.

In view of the time, I move that you report progress, albeit slow, on the estimates.

Motion agreed to

Hon. Mr. Lang: 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. Falle: The Committee of the Whole has considered Bill No. 5, *Second Appropriate Act, 1983-84*, and directed me to report progress on same.

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 that the House do now adjourn.

Mr. Speaker: It has been moved by the hon. Minister of

Education that the House do now adjourn.

Motion agreed to

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

The House adjourned at 9:31 p.m.

The following Legislative Returns were tabled April 25, 1983:

83-3-22

Government publications of two flyers re Land Claim, W.Q. No. 8 (Pearson)

83-3-23

Land Claims questionnaire ads, W.Q. No. 7 (Pearson)

83-3-24

Cost of Land Claims questionnaire publication, W.Q. No. 9 (Pearson)

