



The Yukon Legislative Assembly

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25th Legislature

HANSARD

Monday, November 26, 1984 — 1:30 p.m.

Speaker: The Honourable Donald Taylor

Yukon Legislative Assembly

SPEAKER -- Honourable Donald Taylor, MLA, Watson Lake

DEPUTY SPEAKER -- Bill Brewster, MLA, Kluane

CABINET MINISTERS

NAME	CONSTITUENCY	PORTFOLIO
Hon. Chris Pearson	Whitehorse Riverdale North	Government Leader -- responsible for Executive Council Office; Public Service Commission; and, Finance.
Hon. Dan Lang	Whitehorse Porter Creek East	Minister responsible for Community and Transportation Services; Education; and, Government Services.
Hon. Howard Tracey	Tatchun	Minister responsible for Economic Development and Tourism; and, Renewable Resources.
Hon. Andy Phillipsen	Whitehorse Porter Creek West	Minister responsible for Justice; and, Health and Human Resources.

GOVERNMENT MEMBERS

(Progressive Conservative)

Clarke Ashley	Klondike
Bill Brewster	Kluane
Al Falle	Hootalinqua
Bea Firth	Whitehorse Riverdale South
Kathie Nukon	Old Crow

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

Whitehorse, Yukon

Monday, November 26, 1984 — 1:30 p.m.

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

Prayers

Mr. Penikett: I would like to call attention to the presence in your gallery today of the honoured guest to Yukon, the Rev. Jim Manly, who is the Indian Affairs critic for the New Democratic Party in the House of Commons. I would like to say, as the MP for Cowichan-Malahat, the MP for a great number of ex-Yukoners, representing them in the House of Commons.

*Applause***DAILY ROUTINE**

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

TABLING RETURNS AND DOCUMENTS

Hon. Mr. Lang: I have for tabling the response to Petition No. 6.

Mr. Speaker: Also, from the Chair, I have for tabling today a report of the Auditor General of Canada.

Mr. Speaker: Reports of committees?
Petitions?
Introduction of bills?

INTRODUCTION OF BILLS**Bill No. 48: First Reading**

Hon. Mr. Philippsen: I move that Bill No. 48, entitled *An Act to Amend the Court of Appeal Act*, be now introduced and read a first time.

Mr. Speaker: It has been moved by the hon. minister of Justice that a bill entitled *An Act to Amend the Court of Appeal Act* be now introduced and read a first time.

*Motion agreed to***Bill No. 49: First Reading**

Hon. Mr. Philippsen: I move that Bill No. 49, *An Act to Amend the Hospital Insurance Services Act* be now introduced and read a first time.

Mr. Speaker: It has now been moved by the Hon. Minister of Justice that a bill entitled *An Act to Amend the Hospital Insurance Services Act* be now introduced and read a first time.

Motion agreed to

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

NOTICES OF MOTION

Mr. Ashley: I give notice to the House that this House urges the Government of Canada to devolve its responsibility for the Yukon operations for the Northern Canada Power Commission to the Government of Yukon at the earliest possible opportunity.

Mr. Speaker: Are there any statements by ministers?
This then brings us to the Question Period.

QUESTION PERIOD**Question re: Human rights legislation**

Mrs. Joe: I have a question for the minister responsible for justice in regard to human rights. On July 1, 1983, the former Minister of Justice stated that he intended to introduce human rights legislation last fall to ensure that all Yukoners were afforded the same rights as other Canadians. As the current minister knows well,

no such legislation was introduced then. Can I ask the minister what legislation he has prepared to bring forward now, a year later, to protect the rights of Yukoners?

Hon. Mr. Philippsen: As the member knows very well, the government introduced a green paper for discussion purposes. That paper has been circulated through the communities and the Whitehorse area. We have been on record asking for responses and input into this legislation from individuals. To say the least, the responses have not been overwhelming by numbers. We are proceeding with a desire to get more input and will possibly be going into a few communities in the start of the new year. I do not expect legislation will be introduced in this House until at least some time around this time next year.

Mrs. Joe: I would like to ask the minister, how does the minister propose that Yukoners' rights should be protected until he writes a law to do so?

Hon. Mr. Philippsen: I would like someone to demonstrate to me that Yukoners' rights are not protected.

Mrs. Joe: I would like to ask the minister if the position of the government is that Yukoners should not have the same rights as other Canadians until there is such a law in the Yukon to protect them?

Mr. Speaker: I think that the hon. member is asking for an opinion rather than a question, but if the minister wishes to answer then I will allow the answer.

Hon. Mr. Philippsen: We, at the present time, have the *Fair Practices Act* and I believe that all Canadians fall under Canada's human rights legislation in April of this year. Every Canadian is protected. It will just be that our legislation not be prepared until sometime later in the fall.

Question re: Human rights legislation

Mr. McDonald: I have a question for the same minister while we are on the same subject. Last winter the government introduced a green paper on human rights. As the minister has suggested, in the past and today, the government has received very little response to the green paper. Can the minister give the House a clear indication as to what amount of public response it feels is necessary to begin formulating legislation?

Hon. Mr. Philippsen: That is a fairly difficult question to answer, but I would suggest that the department that is dealing with the issue would be able to determine whether or not a response has been brought forward in order to deal with legislation.

Mr. McDonald: The green paper introduced last year was essentially a canvassing of our positions and that other governments have taken in the past regarding human rights. Has the government considered purposing a position paper which actually sets out a plan of action to incite public input?

Mr. Philippsen: The human rights commissioner for Canada told me that the green paper was one of the best he has read. We will be getting a discussion paper together in order to discuss some of the green paper material to take with us around the communities.

Mr. McDonald: The minister mentioned today that he might be entering communities in the future to canvass community opinion as to the issue of human rights. Would the minister support the creation of a select committee on human rights to hold meetings throughout the territory and to recommend specific positions on issues identified in the government's green paper?

Mr. Speaker: I believe the hon. member is now making a representation which would not be proper in question period.

Question re: Human rights legislation

Mr. Penikett: Yukon currently offers its citizens, by way of the *Fair Practices Act*, the least protection to the human rights of any jurisdiction in Canada in that protections are absent against discrimination common elsewhere. Missing here are provisions to protect against discrimination on the basis of age, physical and mental handicaps, political beliefs, nationality, criminal history, family status, as well as sexual harassment.

Is the position of the government that none of these problems exist in the territory, therefore the need for legislation is not urgent?

Mr. Philippsen: The first part of the leader of the opposition's

question is entirely his opinion. The second part of the question dealing with the need is that, it would seem to me, if there was a great, glaring, obvious need, or a lack of human rights protection, that we would certainly have had, over the time that we have been asking for input and asking for people to come forward, something in the form of a written submission from someone telling me that they were suffering greatly from any of these multitude of wrongs that the member of the opposition has just raised.

Mr. Penikett: My opinion is the present legislation is bad legislation. My opinion is also shared by the gentleman he just cited as a source, the Human Rights Commissioner of Canada, the Hon. Gordon Fairweather. Could I ask the minister, in terms of the policy of this government, is it his position that racial discrimination, discrimination on the basis of age, sexual harassment, and so forth, are not now a problem in the Yukon Territory?

Hon. Mr. Philipsen: The question is being phrased in a highly argumentative manner. It is the position of this government that we will introduce human rights legislation when we have got the proper amount of input from the people of the Yukon Territory. We will not introduce human rights legislation dealing with issues that are non-issues. We will make sure that the issues exist, and we will deal with that in a logical manner, and in a timeframe which is acceptable to the people of Yukon. I suggest that we should have that legislation by fall of next year.

Mr. Penikett: Just so that I can obtain from the minister an absolute clarification of the government's position: the minister has previously said that they have not yet had a sufficient response to a green paper, which was basically a survey of the situation everywhere else in Canada, could I ask the minister, is it his view, elaborating from his remarks earlier today, that he is not prepared to move quickly until such times as parties that are grieved on human rights grounds come forward to him and make representations?

Hon. Mr. Philipsen: The leader of the opposition is trying to put words in my mouth. It is not going to work. We have the *Fair Practices Act* at the present time. We know that the human rights legislation will be in place in April for Canada. We will be moving forward. We brought out a green paper to discuss the issue, we have put ads in the paper to have people come forward and tell us what the problems are. The number of responses have been limited, and we will deal with this. We will not be rushed into it, or hurried into it, because some one tries to put words in our mouths saying that we wish to see bad acts happen to people of Yukon. It is just not going to happen.

Question re: Human rights legislation

Mr. Byblow: I have a question for the same minister on the same subject in order to clarify current policies. The minister is aware that the Consumer and Corporate Affairs Branch currently reports complaints to the minister on human rights. Beyond reporting to the minister, what is this government's policy in dealing with complaints?

Hon. Mr. Philipsen: The Consumer and Corporate Affairs branch has within it people to deal with all standards and all issues, and a complaint can go to any of those members and be dealt with through the *Fair Practices Act* or through other means of legislation.

Mr. Byblow: However, in many instances the minister is directly involved with complaints. I want to ask the minister what steps he is prepared, or his government is prepared, to take to ensure an independence of human rights enforcement from political interference.

Hon. Mr. Philipsen: It would be interesting to know where all these complaints are coming from. Since I have been in the office I have had very, very few that I can think of. All the complaints that have come forward have gone to Consumer and Corporate Affairs and those areas have been dealt with expeditiously.

Mr. Byblow: That last statement is a matter of opinion. I would like to ask the minister a final question: whether or not his government is prepared to appoint a human rights commissioner to deal with investigations and complaints involving human rights?

Hon. Mr. Philipsen: The last statement was a matter of fact, not opinion, and, no, we are not going to have a human rights

commissioner. We will go forward with the methods we are employing at the present time.

Question re: Fair Practices Act

Mr. Kimmerly: The reason for very few complaints is that there is no effective law to deal with them. The present *Fair Practices Act* exempts the Yukon government entirely. Is it the policy of the government that the civil service should be exempted from this legislation?

Hon. Mr. Philipsen: The government is exempt from this legislation because it is the policy of this government to go with the minimum requirements in any piece of legislation. It is impossible for an individual who is working for a government agency to be charged with the responsibility of telling the people who they work for that they must comply with certain areas of legislation. So, my policy is that this government adheres to all its legislation, not only to the minimum but generally above that minimum.

Mr. Kimmerly: The *Fair Practices Act* does not speak about age or physical and mental handicaps. The green paper expresses no position on the subjects. What is the government's policy concerning discrimination on the basis of age, and physical and mental handicaps?

Mr. Philipsen: If the *Fair Practices Act* spoke to all the issues that the member opposite is mentioning, then we would have human rights legislation. The reason that we are going for input to the human rights legislation is to deal with some of these areas. The people whom we have been seeking input from are individuals like the Yukon Mental Health Association and people of that sort. We value their input.

Mr. Kimmerly: As the government has no policy on these issues, it will obviously be for the courts to decide. After April 18, when motions are brought about discrimination on the basis of age, will the government intervene and oppose discrimination on the basis of age?

Speaker's Ruling

Mr. Speaker: I must rule that question out of order as it is a representation.

Question re: Indian boarding program

Mr. Porter: Has the Yukon region of the Department of Inuit and Indian Affairs transferred its educational boarding program to the Government of Yukon?

Hon. Mr. Lang: The department was informed last spring that the Department of Indian Affairs was going to increase their availability of residences for native students for this forthcoming school year. In August of this past year, we were informed by the department that that was no longer the case. They were going to take in fewer students. I understand now that they have 25 students in the dormitory in question and we were just as surprised as anyone else. Unfortunately, we had to, in some cases, let people know that this decision had been taken on behalf of the federal government, because of the series of events that took place.

Anyone in Yukon Territory is eligible for our assistance under the present regulations if they wish to apply and it is made available, not on race, but for anyone who has need of this particular assistance.

Mr. Porter: The unilateral abandonment of the educational boarding program by the Department of Inuit and Indian Affairs has caused considerable hardship to many individuals. Is the Department of Education of Government of Yukon working cooperatively with the individuals affected by assisting those individuals with support from the Yukon government's educational boarding program?

Hon. Mr. Lang: I would have to double check, but I am assuming that is the case. As I indicated at the outset with my first answer, anyone can avail themselves of this particular assistance, if they meet the criteria. I am assuming that the students that the member opposite refers to do meet those criteria. If that is the case, and they have applied, then it is available.

Mr. Porter: I understand that it is the position of this government that, where possible, Indian children in need of educational boarding services are encouraged to board with Indian

families. As of Friday, November 23rd, a family in Upper Liard, who have taken in two student boarders, have not received any financial assistance . . .

Mr. Speaker: Order, please. I believe the hon. member is now making a statement. Perhaps he could pose his final supplementary question.

Mr. Porter: Does the Minister of Education have an explanation as to why this situation has occurred, and will the minister give his undertaking to the Legislature that he will investigate the matter?

Hon. Mr. Lang: I cannot speak to the individual case. I think the member opposite full well knows that if he had given me notice I might have been able to have given him an answer. Here, as I am standing responding to the general policy, I just wish the member opposite would give me that information, and then perhaps I could reply to him in the House. I will look into the situation, if he could be more specific. I will need names; I will need locations; I will need the dates they applied. Once we have determined that, then we can find out what the problems are.

I just want to say, while I am on my feet, that one of the objectives of the Department of Education, and I believe all members of this House, has been to provide educational facilities in all the communities of Yukon, to the best of our ability, within our financial limitations, so that those children can stay at home, as opposed to moving to larger centres — or other centres in close proximity to their homes. In good part, I think we are meeting that objective, although there are some students, unfortunately, because of their home life, or whatever other reasons, are put into a situation where they have to leave home. That is an unfortunate situation. As I state here, our policy is extended to anyone, and if they can meet the criteria, they can avail themselves of that particular assistance.

Question re: Human rights legislation

Mrs. Joe: The question again is for the Minister of Justice. Affirmative action has long since been adopted by other jurisdictions as the remedy for class discrimination. Since the recent green paper on human rights gives no indication of government policy in this area, could the minister tell this House if new human rights legislation will include a strong affirmative action program?

Mr. Phillipsen: It would be very difficult to tell the member what will be encompassed in human rights legislation that would probably be at least a year away.

Mrs. Joe: Since the government does not intend to include affirmative action in new legislation, can I ask him how those people affected will have any protection without some form of law for that purpose?

Mr. Speaker: The member is now asking for an opinion which is not in accordance with the rules of Question Period. Are there any further questions?

Question re: Labour services

Mr. McDonald: I have a question for the minister responsible for labour services — essentially a question that I asked last week. The question is respecting the public construction projects we anticipate to be going forward in the next year. What measure has the government undertaken to ensure that prevailing Yukon wages are paid on projects occurring in this jurisdiction?

Hon. Mr. Phillipsen: We have a fine, functioning contracting administration services under Government Services in this government. All contracts will be dealt with by that contract administration portion. We have had very few complaints in the past couple of years while I have been in here. So, I think that it works relatively well and I am happy to go with that.

Mr. McDonald: Has the government made recommendations to the new Yukon Employment Standards Board on the creation of a fair wage schedule at least equivalent to the federal rates and reflecting current Yukon conditions?

Hon. Mr. Phillipsen: I am almost appalled that the member opposite would suggest that this government would direct a board on how it can conduct its business.

Mr. McDonald: Obviously, as we stated last spring, there is a political need for the government to at least make its feelings felt

with this particular board. Is the minister prepared on the Yukon Court House, for example, to encourage contractors to have labour contracts with the local building trades council to ensure that Yukon prevailing wages are paid to tradesmen?

Mr. Speaker: Is the hon. member asking a question or making a representation?

Mr. McDonald: I am asking a question.

Hon. Mr. Phillipsen: We have federal wage scales that will apply in any event.

Question re: Squatters

Mr. Penikett: I have a human rights question for the Minister of Community Affairs. There are reports that the Territorial Lands Office has recently been trying to evict squatters from their homes in rural lands around Whitehorse and that these people are being told that this is the government's policy for dealing with squatters. Since the minister has repeatedly told the House for many years that this government had not yet formulated a squatters policy, could he now tell us whether this government has finally come out with a squatters policy, and what it is?

Hon. Mr. Lang: The squatter policy that we have drafted applies to those people who have squatted here for quite some time. That draft has been sent to the federal government and we intend to be discussing it very shortly with the City of Whitehorse because there are three levels of government involved. In respect to new squatters who have come onto the scene, it has always been our policy that if complaints from neighbours have been made and we know that they are there, then we give them the necessary eviction notices so that that they can find a place to live elsewhere under the laws of the land. That has been the policy, as the member opposite full well knows, even when he was a member of City Council, and that has not changed.

Mr. Penikett: Would the minister clarify, since his answer was not clear, whether or not there is a new policy in effect which has not yet been announced to the House, or is the minister merely implementing section 26 to 29 of the *Lands Act* authorizing removal of squatters? Is that simply what is going on?

Hon. Mr. Lang: Section 26 to, I believe, 29, has always been in effect, when it has come to our attention, largely through complaints, that people are living on Crown land, and we take the appropriate steps to see that they are evicted. The squatter policy I am working on at the present time would apply to those people who have, over the years, for one reason or another, been forced to squat because of the situation perhaps 20 years ago.

As far as new squatters are concerned, it is our policy that if it comes to our attention, they are evicted.

Mr. Penikett: I would be curious to know from the minister if he intends to table this policy or make a statement during the life of this Legislature about this policy. Could the minister indicate, since he makes a distinction between long-term squatters and short-term squatters, as the city and territory have done for a number of years, and since he indicates there is little or no rural land available for such people now, what the differentiation is in terms of tenure between short-term and long-term in this policy?

Hon. Mr. Lang: That will be part of the policy and, in due course, once I have a consensus, because there are three levels of government involved, it will be my intention to bring it forward to the Legislature as a policy statement. I hope to have a definitive determination of this question within the next month, if possible. But as I indicated to the member opposite, we have prepared what we deem to be a good policy. It is in draft form and we want the Government of Canada's input and the City of Whitehorse's. Once we have received that, a decision will be taken and the public will be notified of our final position.

Question re: Cyprus Anvil mine

Mr. Byblow: My question is to the government leader who I suspect has just returned from a meeting with Mr. Lassande, the federal appointee who will be addressing the Cyprus Anvil question: what firm suggestions did this government offer to Mr. Lassande on the reopening of the mine?

Hon. Mr. Pearson: I do not believe that I was able to offer

anything new in respect to suggestions. In fact, the two gentlemen who are here on behalf of the Minister of Indian Affairs and Northern Development are on their way to Faro later this afternoon. They are meeting with some other individuals and organizations here in Whitehorse this afternoon, and then going to Faro. I am hopeful that I will see them once again on their way back because they just arrived in town this morning and are really on a fact-finding mission, primarily centred in Faro, for the Minister of Indian Affairs and Northern Development. I might say that I am quite confident that they have the confidence of the minister in respect to this issue and they have a mandate from the minister to try to resolve the issue once and for all.

¹¹ I am not certain that they are going to be able to make any hard announcements while they are here because, obviously, the final decisions would have to be taken by the Government of Canada, to whatever way the Government of Canada might be going in this matter.

Mr. Byblow: I thank the government leader for pre-empting all my supplementaries. Mr. Lassande has indicated in the media recently some optimism about the possibility of the mine re-opening. However, this government's position has been one a little less positive. Could I ask the government leader: what is his government's position about the urgency of re-opening that mine?

Hon. Mr. Pearson: Let me tell you, if there was anything that I could do to get it open tomorrow, or anything this government could do to get it open tomorrow, we would do that. It is very, very urgent, but, they do have some problems. The member for Faro is quite well aware of what one of those major problems is. I believe the company has said all along that what they really needed was a resolution of their transportation, energy, and labour problems. There has been a considerable amount of work done on the energy and transportation problems. I believe that in both cases they are very close to resolution. At the present time, there is a real confrontation in respect to the labour problem. I am sorry I cannot report any progress either one way or the other on that.

Mr. Byblow: I could, but I will not.

Could I ask the government leader whether or not his government supports the position of extending the stripping program in order that there is some more opportunity and time for resolution of the other major issues facing the mine?

Hon. Mr. Pearson: We would be most pleased if the stripping program was extended, but as I reported to the House last week, Mr. Forgues made it abundantly clear to me and my colleagues that Cyprus Anvil, or Dome, do not have any interest at all in extending that stripping program after December 31, 1984. They intend to see that stripping program shut down on December 31, if they are the only proponents.

Answer re: Mary Lake subdivision

Hon. Mr. Lang: I would like to report to the House on one of the questions asked last week. I committed myself to the leader of the opposition to answer a number of questions in respect to the Mary Lake subdivision. You will recall during the course of the questioning that I indicated that the people involved would be getting together with the officials of the department to discuss some of the problems of the area. I am pleased to report to the House that there is going to be further conducting of testing of the area. There is also going to be a review of the performance of septic tanks in close proximity to the area. Further to that, the consultants, who we are dealing directly with on the matter, will be making specific recommendations to us on installation of septic tanks in the area. I am pleased to report to the House that, along with that, we have been told that the consultant who is contracted with the government is confident that an affordable range of specified systems can be developed for septic disposal in the critical areas, once they have been further refined.

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Question re: Property rights

Mr. Kimmerly: Two years ago, the minister of justice, prior to assuming his present position, proposed a motion in this House to support a BC resolution to amend the Canadian *Constitution* to include property rights. Has the minister's enthusiasm now for

property rights since waned? Otherwise, why has he not used his present power to do something useful about Yukoners' property right?

Mr. Speaker: Order please. Is the hon. member making a statement or asking a question?

Some Hon. Member: Sounds like a speech to me.

Mr. Kimmerly: It is a question. As the Canadian *Bill of Rights* includes property rights, what is the government's position on including property rights in new legislation encompassing all human rights?

Hon. Mr. Philipsen: I find this a very interesting debate — that is what it is, a debate, not a question. As the member opposite said, I spoke two years ago, and I have never lost any of my strength of resolve that we should have the property rights reinstated in the *Constitution*. I believe that it goes without saying that everyone in this House knows why it is not in the *Charter of Rights* at the present time. I believe that I will do everything in my power to bring forward from that debate the responses from the members opposite for all and sundry to study at length.

Mr. Kimmerly: What is the government's position concerning the protection of the property rights of Yukoners in a rights act if and when they finally produce it?

Mr. Speaker: The question would appear to be rather hypothetical. However, I will permit a reply if the minister wishes to reply.

Hon. Mr. Philipsen: The question is hypothetical.

Mr. Kimmerly: Given the long delay which has afflicted the government in the area of rights legislation, would the minister be willing to offer at least some interim protection for property in Yukon, by amending the *Expropriation Act* to prevent the arbitrary seizure of private property at the whim of the government?

¹³ **Mr. Speaker:** Order please, that question is quite out of order. It is making a representation and is not a question.

Question re: Indian boarding program

Mr. Porter: A question to the Minister of Education: the Yukon Government's educational boarding program provides \$160 less a month than the program that was offered by the Department of Indian and Inuit Affairs. Can the minister explain the disparity between his government's program and the program that was operated by the federal government?

Hon. Mr. Lang: The philosophy behind our particular subsidy that we have in place is that it is the government's responsibility to subsidize — I use the word "subsidize" — the boarding of students if they have to leave their community. But, at the same time, there is recognition that there is parental responsibility and that they should pay something toward the cost of keeping that child or that student in the various locations.

Mr. Porter: Is the Minister of Education prepared to sit down with the regional director of Indian and Inuit Affairs and negotiate an acceptable education boarding program?

Hon. Mr. Lang: I am sure that my officials will be more than happy to sit down and discuss the situation with the department in question since we were never involved in it in the first place.

Mr. Porter: According to the information that I have received, the Yukon government's educational boarding program does not cover clothing or recreational costs and is limited to payment for a student's attendance at school, thereby offering no financial assistance for the families who care for children over weekends. Is it the position of this government to change these inadequate areas of the current policy with regard to educational boarding?

Hon. Mr. Lang: No, because for those students who do not have the necessary parental support, financially, there is another agency within government, the Department of Human Resources, that would be prepared to assist in those particular individual cases. Overall, it is the policy of the government, and perhaps the opposition does not agree, that the parent has a responsibility to help assist in those costs in respect to keeping those students in someone else's accommodation. I think that it is a very valid policy decision that this government made a number of years ago. I believe that the parents do have a responsibility. Perhaps the member opposite does not agree.

Question re: Affirmative action

Mrs. Joe: I have another question for the Minister of Justice. Given the delay of Human Rights legislation for the past three years and for the foreseeable future, can the Minister of Justice tell us what steps his government is prepared to take to begin affirmative action programs and other remedial measures to hire, train and promote women and Indian people within the Yukon civil service?

Hon. Mr. Philipsen: The foreseeable future has already been discussed at great length at the start of Question Period. I think that it is an inappropriate remark on the member's part. The Public Service Commission hires anyone based on ability and at the present time I do not think that there is anyone who can deny that fact.

Mrs. Joe: Can I ask the minister if it is the government's position that women and Indians suffer no special employment difficulties, and therefore, no special measures are needed?

Mr. Speaker: The question would seem to be argumentative. However, I will permit a reply.

Hon. Mr. Philipsen: We have all types of programs within this government to aid people in seeking employment, and ones having employment but upgrading their employment. I do not think that this government has any reason to be embarrassed about its employment program or the way people are hired. I am happy to be a member of a government that I can make a statement like that about.

Mrs. Joe: Could the minister explain why the Yukon is unique in not needing an affirmative action program?

Hon. Mr. Philipsen: I believe that the members on the other side know the rules of this House, and I believe that when they have bills on the order paper addressing an issue, then it is not something that they would be speaking to.

Mr. Speaker: There being no further questions, we will proceed to Orders of the Day under Government Bills.

ORDERS OF THE DAY**GOVERNMENT BILLS****Bill No. 42: Second Reading**

Mr. Clerk: Bill No. 42, standing in the name of the Hon. Mr. Philipsen.

Hon. Mr. Philipsen: I move that Bill No. 42, the *Occupational Health and Safety Act* be now read a second time.

Mr. Speaker: It has been moved by the hon. minister of Justice that Bill No. 42 be now read a second time.

Hon. Mr. Philipsen: It gives me a great deal of pleasure to introduce the Yukon's first comprehensive act devoted solely to occupational health and safety. It is the *Occupational Health and Safety Act*. This act, and the regulations to follow, will replace the Accident Prevention Regulations, the *Workers' Compensation Act*, the *Mine Safety Act* and regulations, the *Blasting Act* and regulations, and the medical regulations of the *Public Health Act*.

As part of the overall examination of labour laws in the territory, the government has carefully reviewed its experience with current safety legislation. Apart from some minor amendments through the years, the legislation for occupational health and safety has gone without significant change for nearly two decades. Technological advancements and the resulting demands on work sites have magnified the need for current and up-to-date legislation.

Industrial accidents and illness adversely affect the lives of workers, and the efficiency it affects to the economy of the territory. Naturally, we must look very seriously at legislation that will be reflected positively on the lives of workers. This act does that. We must ensure that all steps possible are taken to improve the efficiency of the work place to assist the economy. Nationwide, the direct and indirect costs of occupational accidents and illnesses are approaching \$15 billion per year. This equals nearly half of the national deficit, and is far in excess of the costs associated with industrial disputes.

¹⁵ The total accident costs are determined by evaluating injury costs, equipment and material damage and production losses. Other social and personnel costs are impossible to measure and are not included.

Claim costs in Yukon for 1983 amounted to \$2,967,000. By applying a conservative and universally accepted ratio of four to one, for estimating equipment and material damage, production losses and claims costs, Yukon's overall accident cost in 1983 would therefore amount to \$11,868,000. Not only do these figures indicate severe personal suffering and social ramifications the overall cost is an intolerable burden on our economy.

Real savings for the employer, both in the short-term and long-term, can be achieved in the field of occupational health and safety. These savings will be reflected in fewer injuries and illnesses in the workplace, less equipment and material damage, production losses, and with a total awareness of cooperation will lower assessment rates. Minor costs to the employer associated with this act will not even approach the major savings it will achieve.

In Yukon industrial development, together with the use of more sophisticated techniques, has resulted in the need for reduction of occupational accidents, injuries and illnesses. Modern technology has introduced processes which present new dangers which must be identified and controlled. Legislation is of course not the total answer. Safety regulations identify the minimal requirements for the maintenance of safe work environments and serve as a manual of safe work procedures. For maximum effectiveness, legislation must be supported by the development of knowledge and an awareness of health and safety. Legislation must be supported by the education and training of employers and employees.

We have undertaken these steps within this government with the implementation of the accident reduction program supported by high compliance standards and an employer commitment to provide a safe working environment. I am pleased to say that the program has been successful in reducing accidents, injuries and costs by an overall average of 38 percent in the past few months at an estimated saving of \$190,000. Once more, the estimate mentioned is a conservative one.

It is our intention to fully support this new legislation in the private sector with an expanded program of health and safety education and training. Our safety division will assist employers and employees in reducing injuries, accidents and associated costs. This is our prime objective.

Both employer and employee share the responsibility for occupational health and safety. The onus is not only on the employer to provide safe working conditions but also on the employee to approach his or her job obligations in a responsible manner. The legislation outlines the individual responsibilities of all parties in the workplace and establishes a framework for employer-employee cooperation in developing and maintaining a safe working environment.

¹⁶ The most common mechanism for achieving this cooperation is the Occupational Health and Safety Committee, established in the workplace and consisting of representatives of management and employees. The requirement to establish committees where there are 20 or more regular employees is carried from the present legislation to the new. Historically, these committees met during working hours to deal with occupational health and safety matters in the workplace.

Whether or not a committee is established, the act provides for the selection of at least one health and safety representative by the employees in the workplace. The duties and responsibilities of the safety committees and the safety representatives are clearly outlined in the legislation. Our safety division will work closely with these groups in order to ensure their effectiveness and efficiency.

The legislation introduces the concept of a worker's right to refuse hazardous work where the worker has reason to believe that the work constitutes an undue hazard. This right cannot be exercised if the worker's refusal to perform the work puts the life, health, and safety or physical wellbeing of another person in immediate danger, or if the conditions under which the work is to be performed are ordinary conditions of his work. This concept is now accepted in the majority of jurisdictions across Canada.

In the past, little protection for subsequent discipline or dismissal has been afforded workers who declined hazardous work. This meant that workers could decline a hazardous work assignment only at the risk of losing their job. In conjunction with the establishment

of this right, the legislation outlines a speedy and cooperative mechanism for resolution of the situation, including provisions to counteract abuse.

Experiences in other jurisdictions have shown that this concept provides a mechanism for dealing with difficult situations. Employers and employees believe that the concept is working to the benefit of both parties, generally without abuse. The act provides overall protections against reprisals from the employer or bargaining agent in the case where a worker is acting in compliance with the legislation.

An effective accident reduction program is greatly enhanced by immediate investigation of serious injuries or accidents. This permits a more accurate determination of initial causes and facilitates the implementation of procedures designed to reduce the risks. For this reason, the legislation requires that serious accidents and injuries be reported immediately, or as soon as reasonably possible.

A major concern, not only to employers and employees, but also to the public at large, is the introduction into the workplace of thousands of new chemical and biological agents. The legislation refers to these products as designated substances and establishes a mechanism for control. This control may be absolute or it may permit limited or restricted use under controlled conditions. Control may be extended to transportation and disposal. Since the adverse effects of many of these agents do not surface for many years, it is essential that extreme caution should be exercised in their use. Compliance with occupational health and safety standards is affected by the issuance of orders by safety officers.

The type of order issued reflects the severity of the situation. All orders must be confirmed in writing by the safety officer, insofar as it is reasonably practicable to do so before the officer leaves the work place. The written order must indicate the nature of the improvement required, and the legislated reference. Normal orders will permit a reasonable time for the improvements. Where a source of imminent danger to health and safety of a person employed is identified, the order may require immediate steps to guard or protect persons from danger. In the most extreme situation, where the imminent danger is life-threatening, the officer may issue a stop-work order, and the use or occupancy must cease until measures have been taken to reduce the risk.

As previously indicated, an effective occupational health and safety program relies mainly on education and training. In the majority of situations, the result is voluntary compliance. This is reasonable, since few employers will knowingly subject their equipment to damage, or their employees to occupational illness or injury. On the other hand, employees would not knowingly expose themselves to risk.

As a measure to ensure fair and effective administration, the legislation establishes the occupational health and safety board, composed of two members representative of employers, two members representative of employees, and an impartial chairman. The primary function of the board will be to hear appeals from anyone aggrieved by a decision or order given by an officer under the act, or the refusal of an officer to give an order or render a decision. The board may also be called upon to act in an advisory capacity to the minister.

As I indicated earlier, this omnibus legislation will replace several other acts and regulations. For this reason, the regulatory development powers outlined in the legislation are quite extensive. The following regulations are proposed: (a) general safety regulations. A complete revision and updating of the present accident prevention regulations; (b) minimum first aid regulations. These regulations are presently contained in the accident prevention regulations. There are no major revisions to be made to these regulations, other than that the regulations will include revised camp medical provisions which were formerly under the *Public Health Act*; (c) blasting regulations. These new regulations will replace the present *Blasting Act* and regulations; (d) the mine safety regulations. These new regulations will replace the present *Mine Safety Act* and regulations; (f) radiation protection regulations. These new regulations will identify safe work procedures for X-ray and laser operations; (g) commercial diving regulations. Again,

these new regulations will set out recognized safe work procedures for this very hazardous occupation; (h) power-actuated tool regulations. These regulations are part of our present legislation; (i) coal mining regulations. Because of the unique nature of coal mining, regulations will be required for this industry.

The growing complexity of techniques and the constant widening range of processes used in industry demand a broader range of knowledge of health and safety issues on the part of the employer. It provides the employee and the safety officer together with a simple, efficient and fair administrative mechanism.

The act establishes the administrative mechanism and the regulations become, in effect, manuals of safe work procedure. Sound legislation supported by an awareness of occupational health and safety in the workplace developed through education and training will reduce the incidence of industrial accidents, injury and illness.

Mr. McDonald: It is a rare pleasure for me and for my colleagues to review a piece of social legislation emanating from this government with which we can, in a large part, agree. The signal sent from the previous two ministers over the life of this Legislature have not been encouraging and the attitudes expressed by the now Minister of Economic Development made me, for one, positively worried. I had expected, in all honesty, a piece of legislation which has different orientations, and which may even have had subordinated the health and safety of some working people, or working people in the territory generally, to other considerations.

We are mindful that the current minister is not as likely to fall prey to the concerns of the ultra right idealogue as perhaps his colleagues and cabinet are. For that reason, I personally believe that this minister is the best person to usher in this piece of legislation.

Having said that, it is an unfortunate sign of the time that a greater emphasis is often put on property damage and cost of production to justify occupational health and safety legislation, and less emphasis is put on the suffering of individuals who are the accident victims, themselves. Even this minister this afternoon has come to this kind of rationalization to a certain extent.

Good occupational health and safety legislation is invaluable, in and of itself, and it is from that perspective that we approach this bill this afternoon.

In the Yukon jurisdiction, of course, we must appreciate the working character of the territory. We have to understand that job sites are spread out around the territory. Great distances do separate them. The kinds of work at these job sites vary greatly. For that reason, it makes it difficult for government and for the limited number of occupational health and safety officers to cover all operations on a regular basis and to acquire the expertise to make their investigations effective and worthwhile.

Legislation must give, under these circumstances, the people on the jobsites some ability to look after themselves and the assurance that government and its inspectors will act effectively in preventing accidents and in investigating accidents when they occur.

On the whole, legislation must be prevention rather than reaction oriented. An act which is reaction oriented is socially expensive and is personally costly to injured workers and their families. The prevention oriented act, first and foremost, demonstrates the respect for the life and health of individuals workers and it is a statement that health and safety will not be subordinated to anything including production and a search for profit.

This act incorporates essentially the three principles which are necessary components of any prevention-oriented legislation, which we can boast we have been suggesting for some time now the government incorporate into any new legislation. They are paraphrased in simple terms as the right to participate, the right to know, and the right to refuse unsafe work. Essentially all three principles are meant to encourage employers and employees to work together to prevent specific accidents from occurring and to create a working atmosphere which values safe working practices.

Everyone in the workplace has a role to play, and everyone has a right to participate in the safe operations of any workplace without fear of discipline. The right to participate in joint health and safety committees is extremely important in our view. Health

and safety is not simply a management prerogative, it is a concern to everyone, especially those persons who have good reason to believe they may be a likely accident victim themselves.

Safety committees are among the first things bargained into collective agreements where unions exist. The provision to incorporate safety committees into the working lives of the territory allows inspectors to investigate more thoroughly real problem areas and to use their talents and their time to greater effect. But they are not the only answer. Cooperation between the parties in an occupational health and safety committee does not always exist. It is, in some cases, idealistic. The two parties do not always share the same interests. Workers surveillance at times has its limitations. They must be urged on an ongoing basis, and encouraged to be effective or they soon themselves become reactive to accident situations — to situations where poor health practices are encouraged — and only convene meetings after accidents have occurred. The employer and employee representatives must be knowledgeable if they are to effectively monitor or assess hazards in the workplace. They must understand that, generally speaking, health and safety committees are less effective in non-unionized environments than they are in unionized environments. They must also understand that the track record of committees is generally better at safety practices than they are in matters of health, and perhaps they can discuss that to a greater extent at committee stage.

The second principle, the right to refuse unsafe work, is almost justifiable in itself. It is absolutely important that people enjoy this right to refuse work that they believe reasonably to be unsafe, without penalties. It has been accepted in other areas of Canada and from past history we understand that in places such as Ontario the issue was controversial in its inception but has proven to be quite effective and to have operated without abuse.

There is also a good deal of jurisprudence for inspectors and the board to draw from, as to what the limits of this particular right actually are. Perhaps we could discuss this further in committee as well.

²⁰ The right to know is also a fundamentally important right. People are to be expected to rationally assess their own workplace, but this can only work if people are informed or educated as to the possible effects associated with hazardous chemicals, et cetera, and education obviously plays a significant part in determining how effective this right will be.

In general terms, we obviously support the main thrust of the act. We support the act in principle. By saying this, we should not minimize the problems associated with the bill. These problems do exist, and we will mention them in committee, and try to extract some concessions from the government where we feel they are necessary. Some of these problems, by way of notice, include the right of the cabinet to exempt employers from various provisions of the bill. This is a right which we challenged in our discussions on the *Employment Standards Act* and for which we felt there was no justification, then or after the debate. We would like to hear the minister justify this particular provision, as we feel it is unjustified.

The provisions dealing with the proposed occupational health and safety board essentially incorporate the same sorts of complaints as those we had with the employment standards board. Without getting into great detail, we do plan to deal with this issue at some length in the committee stage as well. They are all the various problems which may simply be oversight on the part of the drafters of the legislation. If they are not oversights, then there may be some serious problems with the bill.

As the minister mentioned in his opening remarks this afternoon, the proclamation of this act is not the end of the government's responsibility in regard to the delivery of services supporting good occupational health and safety practices. There must be the political will to enforce the provisions of the act. There must be the political will to establish effective regulations pursuant to the act — meaningful regulations — as these are among the most important statements by the government as to its intentions regarding occupational health and safety.

The government must develop better communications between the federal and territorial authorities, and between the various departments in the territorial government. This is of some considerable

concern to us, and perhaps the minister can bring us up to date as to the negotiations between the various authorities in delivering more efficiently the services the working people in the territory desire. The government must have the political will to recruit well-informed and somewhat dynamic inspectors, considering the nature of the problems associated with the inspection services in a very large territory. They must also provide greater emphasis on safety training for all persons. This is an issue which has been addressed in the Legislature before, but for which we have not received any clear answers.

Finally, I would like to say that we do support the bill in principle. We will express in detail our concerns at the committee stage. We are certainly happy to see this bill coming forward. It has passed its time. It is long overdue. As I said before, I am happy to see that this minister is the minister who is in charge of the responsibility of ushering the bill in. There could be no better rider for the horse.

²¹ **Mr. Penikett:** If you will permit me, I have a few words on this subject. I do not have a great deal of substance to add to the substantial contribution of the minister and the eloquent response from my colleague from Mayo. I do want to say that this legislation is of great personal interest to me. It is a matter which, during my six years in this House, I have continued to raise. It is one of those things that got me interested in, and involved in, politics in the first place, going back many years. The government leader will recall, as will the government minister for community affairs, that at one time I even tried to slip through an amendment to the *Labour Standards Act* in this House to incorporate the right to refuse. Probably quite properly, the attempt was defeated, but I thought it a good try anyway at the time.

I want to compliment the minister on this legislation. One has a few problems with it but the principles which are enshrined in it are excellent ones. They are the principles which were first articulated by a man whom I consider to be a very great Canadian, Dr. Robert Sass who, although he did not know it at the time when he was making a speech to a group of employees, he first articulated those three principles: the right to refuse, the right to know and the right to participate. I think many other people who are interested in this field of legislation will be eternally grateful for his insights. As members of the House will know, he is continuing to be very active in the field and is the leading expert. I for one, consider it a very regrettable thing that one of the first people fired by the new government in Saskatchewan was Dr. Sass.

The two areas which I would not want to dissent from, I would want to express reservations about to the minister, are serious ones and it may not be appropriate to go into in great detail at the second reading debate. I would like, however, to ask questions in the committee stage about the question of jurisdiction. One of the things I have raised in this House over the years I have been here is the peculiar situation in a difficult field like this where the jurisdiction is split. Even in this act, for reasons I well understand, we have, in essence, federal inspectors policing a territorial act. We still have a not perfectly clear organic relationship between the workers' compensation board and the health and safety divisions. Of course, until the introduction of this act, we did not have one piece of legislation which clearly provided an umbrella of occupational health and safety for working people in the territory. I would look forward in the committee stage to engage with the minister on some discussion of what the long term will look like in that area. I think that most of us agree that if we could one day make sure that the umbrella provides total coverage under the jurisdiction of this government, it would be a very good thing.

The other thing I must say, and in this I share the views of my colleague from Mayo, is that I am slightly concerned about the ability of the cabinet to exempt employers from the provisions of this act. I would look forward to a statement from the minister in the committee stage about the potential uses of that regulatory power.

²² One other point I would like to make to the minister, whom we were reminded about again today, brought to this House some great oratory about property rights two years ago, is that this is one of the battle grounds between human rights and property rights.

This is one of the areas, particularly in Europe in the latter part of the last century, where people who were arguing for the human rights of employees as opposed to the property rights of employers had their most fiercest combat. One does not have to read Dickens to know how awful the situation of working people, even working women and even working children, was in northern Europe in the last century. It was until relatively recently in our history, the firmly held view of employers that their property rights took absolute precedence over the human rights, the right to health and the right to safety, of the employees in their enterprises.

I would like to say to the minister in a complimentary way, that this is one of those steps that civilization has taken and is taking to make sure that, over the course of time, human rights gain ascendancy over property rights. In my view, that is the standard, the yardstick with which we can measure the human progress in human civilization. With that score, I congratulate the minister today, for taking this step.

Motion agreed to

Bill No. 40: Second Reading

Mr. Clerk: Second reading, Bill No. 40, standing in the name of hon. Mr. Philipsen.

Hon. Mr. Philipsen: I move that Bill No. 40 entitled *An Act to Amend the Children's Act* be now read a second time.

Mr. Speaker: It has been moved by the hon. Minister of Justice that Bill No. 40 be now read a second time.

Hon. Mr. Philipsen: Bill No. 40, *An Act to Amend the Children's Act*, is being given second reading today. Five and half months experience in the use of the comprehensive *Children's Act* assented to by this House during the spring session, has led me to conclude that a small number of procedural and jurisdictional clarifications are required in the statute, Bill No. 40.

This bill contains those amendments that experience has indicated are required to avoid uncertainty and the possibility of costly delay and legal debate and a resulting possible risk to children. You will note that several of amendments are simply wording changes for the purpose of clarification of intention. Others are additions of procedural statement where the act is silent on the specific procedure or on the jurisdiction afforded the judge of the territorial court so that it is clear that jurisdiction exists and orders can be made.

The proposed amendments to the act do not introduce new policy or new intention into the law.

They are simply and clearly necessary procedural clarifications and specific statements of the required and intended jurisdiction of the courts. With these amendments, the provisions of each part of *The Children's Act* will be clear and less open to potential procedural and technical misinterpretations which, if permitted to exist, could be of significant cost to families, children and the taxpayer in terms of dollars.

Mr. Kimmerly: The member for Mayo, in speaking to the previous motion, waxed poetic and talked about the horse's rider and the horse could have no better rider. That member is wont to become allegorical at times and to speak in that kind of language and I try to emulate him. In this case, I recall a quotation from Stephen Leacock and it is, "The horse reared up and went off in all directions". That is not intended as humour but is intended to get at, in a light way, the principle of the bill and to make an introductory statement about the attitude of the members on this side.

Clearly, there is no single principle to the bill. It is a fairly short bill and includes amendments to a number of sections involving several principles. The principle of the bill can be said that, in the experience of the last five and one-half months, some clarifications or change is necessary and we are speaking about the necessary changes. That is the principle, I suppose, and that is explained in the explanatory note.

As all the members are aware the passage of *The Children's Act* was amid much emotional debate for many debates and the two sides of the House communicated with each other in some measure about the important issues but communicated, generally, fairly poorly. I had thought to make an impassioned speech today, but I

am not going to do that because it is my view that it is important that we maximize the communication between us, that is between the two sides of the House, on this very important issue.

It is my opinion that the public, however they feel about the principles of *The Children's Act*, are not as supportive of the politicians yelling at each other about it, or even being politically partisan about it. They are interested in the best possible legislation to protect children. I do not feel that that exists in Yukon now, and there are many substantial differences of opinion on the very important principles of the bill which exist today, which continue to exist, and will continue for some time. I will speak about the five and one-half months of experience with the bill, and make a few comments about the principle of the experience necessitating clarifications. The process has been painful in the last half year. I have a distinct advantage in that I am party to some of the cases in court — not a party in the legal sense, but I have been physically present and have acted as counsel in varying capacities on some of the cases in the last six months. I know about the other cases from direct sources. I can make several statements about our experience. I am purposely trying to be non-controversial or as communicative as I can be about these issues, as I feel that is in everyone's best interest.

Firstly, the minister talked about the small number of clarifications. I can say, and I had written down, quotations from all of the judges who have dealt with the issue to argue against that statement. I am not going to go into it in any detail, but there are a great number of clarifications needed. There is a very substantial confusion in the courts, and I am quite sure that as long as the present *Children's Act* exists, these amendments will come forward at least once a year, and probably every session.

There are substantial problems, most of them minor, some of them very substantial indeed. The reason for them can be attributed to the way the bill was written. It was written as new legislation by people who were not practitioners in the field at the time. They may have been called experts by some; they were academic experts. They were not practitioners in the field and the bill has changed substantially. A lot of things in the court and this bill before you addresses only a very, very few of the problems under observation.

I am going to mention generally two of them and then leave the rest to committee. There was considerable debate, in the spring session, about the policy of the department concerning keeping families together. The principle of the bill identifies that it is the director's policy to keep the family together. This aside, we ask, what does that mean really, and how do you enforce it? Well, in the last five and a half months, I was in a court — I will inform the minister of the name, privately and the social worker was giving evidence. It was a case of a teenager who wanted to leave home. The director had taken the teenager into care and was asking for a wardship order. The social worker said it was the department's policy to provide the teenager with an alternate home, not the family home. They were not working towards re-establishing the teenager in the home. The particular details of the individual situation are all relevant but it suffices to say that the parents were not in agreement. It was clearly a marginal case on both sides. I raise it because there is a case where the director is directed to follow a certain policy in the legislation. He was not following that policy in that case and it is abundantly and absolutely clear that he was not. There is no way to enforce that or no practical way to change the situation.

That is a case in the experience of the last five and a half months demanding attention. Our experience should lead us to substantially amend this bill. It is unfortunate that this bill does not contain amendments to correct that principle.

I can cite another case where the director apprehended a small girl, and made an allegation of sexual abuse against the girl by a parent. After the apprehension, after time in a receiving home, and after a considerable court battle, it was decided to get an expert opinion as to the interpretation of the information giving rise to the allegation of sexual abuse. It was determined, and was accepted by all parties,

that the information was wrong. Sexual abuse did not occur. The very substantial disruption to the family was unjustified. Those kinds of cases, unfortunately, may occur from time to time, and it is our duty as legislators to construct the law in such a way that they occur the fewest possible times. In this case, the legislation positively worked against the parents asserting their proper parental rights and authorities and duties. I would ask the minister in as communicative a way as I am able, to not yell or make a political point but to look at, with an open mind, those situations. There are some others that the minister is already aware of. Too, with an open mind, look at those particular examples of family tragedies, and look at changing the legislation to allow parents to bring forward their point of view very quickly in the proceedings, and to not give the director the vast discretion that he has in the ways that are unchecked by a competent court.

²⁷ Our experience has not been easy in the last six months. It is continuing, and I hope that the minister will bring forward, in the future, a much more substantial amendment or perhaps some other minister in some other government will have to do that.

Mr. Speaker: The hon. Minister of Justice now speaking will close debate.

Hon. Mr. Philipsen: I prefer to just wait and call question on this but I think there are a couple of issues that I should at least speak to before I sit down again.

The first issue was raised on the amendments. The amendments are procedural amendments to direct judges so that they have power not only to hear but to do something about issues and matters that they hear. These are slight oversights that have been brought forward in the five and a half months. Had they been of major proportion, I am sure that the member opposite would have spoken to it at the time we had our original debate. I think you will find that the issues before us have never been spoken to by the member opposite, so I would be very surprised if they are policy changes. Therefore, I believe the policy of the government has not changed in any way, so these amendments are procedural amendments.

The next issue the member spoke to was of a child who wished to leave a family and we have gone a long discussion route on this before. I certainly do not plan to get into it again but I will state the policy of the government and the policy of the bill. From its inception, this was to deal with the best interest of the child. If the courts had decided that, in the best interests of the child, the child should go the family, that was where the child would have gone. If it was decided, in the best interest of the child, the child should not go to the family, then that was what the bill spoke to from the first principle on through the rest of the bill.

I believe that the other matter has considerably more to it than the member opposite has alluded. I thank him for bringing it forward and I certainly will check with the officials of my department to find out what the circumstances are in that regard. Generally speaking, we have been very satisfied with the legislation from this side of the House. It has been working reasonably well from all indications I have and, short of these procedural amendments and changes we have before us, I think we have a fine piece of legislation.

Motion agreed to

Bill No. 45: Second Reading

Mr. Clerk: Second reading, Bill No. 45, standing in the name of the hon. Mr. Tracey.

²⁸ **Hon. Mr. Philipsen:** I move that Bill No. 45, *An Act to Amend the Pioneer Utility Grant Act*, be now read a second time.

Mr. Speaker: It has been moved by the hon. Minister of Justice that Bill No. 45 be now read a second time.

Hon. Mr. Philipsen: It is always a distinct pleasure when I have the opportunity to rise in the House and announce an increase in the level of service to Yukon seniors. First of all, by way of amendments to the *Pioneer Utility Grant Act*, Bill No. 45, it will be possible to increase the rates by way of regulation, rather than amendments to the act itself. Secondly, this government will be increasing the Pioneer Utility Grant for the fiscal year 1984-85 to \$540, which we believe represents the cost of real increases for utilities for Yukon seniors. As I am always concerned about the

effect of the cost of living in the north on Yukon seniors, I am committed to ensuring the income levels for seniors are sufficient enough to cover the increased cost of living in the Yukon.

Mr. Kimmerly: I will be very brief. I was intending to say, as I have said before, when senior citizens grants are increased, that is the surest sign of all that there is an election coming. There must be an election planned for this spring.

The principle of the bill, in the sense of allowing the cabinet to set the rates, is not abhorrent to us at all. In fact, it strikes us that it is very efficient, because it can be raised every year relatively easily, as opposed to changing the legislation. For that reason, we are pleased and support the measure. We do point out, however, that the fact that it is now an executive act, as opposed to an act of this House, is an example of the further erosion of power of the Legislature, and an expansion of the power of the executive. It could be used to announce an increase just before an election, or something like that. I would caution all members, because they are either in government or will be one day, that we are aware that it is abhorrent generally to taxpayers — even seniors — although they are glad of the extra money.

As to the announcement of the increase, we are extremely pleased about that, and pleased about the principle of increasing the amounts in accordance with the real cost of the utility increases in the world out there.

²⁹ That is a principle that we have advanced in the past and support it still. Generally, with one cautionary note, we are in support of the bill and look for a very speedy passage.

Motion agreed to

Bill No. 46: Second Reading

Mr. Clerk: Second reading Bill No. 46, standing in the name of the hon. Mr. Tracey.

Hon. Mr. Philipsen: I move that Bill No. 46, *An Act to Amend the Health Care Insurance Plan Act*, be now read a second time.

Mr. Chairman: It has been moved by the Hon. Minister of Justice that Bill No. 46 be now read a second time.

Mr. Philipsen: Bill No. 46, *An Act to Amend the Health Care Insurance Plan Act*, accomplishes several objectives. The most significant provisions introduced by the amendments are those which provide a greater flexibility respecting health care benefits and those which bring the language of the act into conformity with the *Canada Health Act*, which passed into law in the spring of this year.

The amendments, which provide for greater flexibility under the health insurance legislation are intended to provide a statutory base for previously uninsured services. The members will note that the *Health Care Insurance Plan Act* was passed to provide insurance coverage for medically necessary services provided by medical doctors. A limited provision for in-hospital dental surgical services and services provided by other health practitioners such as physiotherapists could not be deemed insured under the act.

Rather than taking the approach of identifying health care practitioners, other than doctors, who can render insured services, the major amendments proposed in Bill No. 46 have the effect of authorizing, and the identification of, practitioners who have the right to bill the health plan for services, and broadening the range of services which may be deemed insurable through statutory instrument, while continuing to enshrine the basic medical care rights and dental surgical rights within the statute.

Another major area addressed in Bill No. 46 is the *Canada Health Act*. As members will recall, the House of Commons passed a federal act last spring. Amongst other things, the federal act repealed the *Medical Care Act of Canada* and introduced significant changes in the language describing insured services. To ensure the maximization of transfer payments from the federal to the territorial government under the *Canada Health Act*, and to reduce confusion, the language of the *Canada Health Act* is being proposed for the *Yukon Health Care Insurance Plan Act* by these amendments.

Thirdly, the amendments before you address several minor administrative and procedural matters to render language more consistent and modernize terminology.

Mr. Kimmerly: We have some questions, mainly about the

administrative effect, but we will wait for committee. In principle, we agree.

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 the Committee of the Whole.

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

Motion agreed to

Mr. Speaker leaves the Chair

COMMITTEE OF THE WHOLE

Mr. Chairman: I call Committee of the Whole to order. At this time, we will have a short recess of 15 minutes. When we come back, we will go on to Bill 39, *First Appropriation Act, 1985-1986*.

Recess

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

Bill No. 39: *First Appropriation Act, 1985-1986*, continued

Mr. Chairman: We will now go on with Bill No. 39, *First Appropriation Act, 1985-1986*, on highway construction, page 5.

On Highway Construction, continued

Mr. McDonald: Just on a reading of the *Blues*, which has determined that we were discussing, prior to adjournment, the development on the Klondike Highway and a couple of stretches of road which had been viewed by some people in the northern part of Yukon as being badly-constructed and we had some discussion on the veracity of that claim. I do not want to return to that, but for the time being I would like to ask the minister about the work he has announced that will be done on Duncan Creek-Mayo Lake Road. We had budgeted last year for some engineering work on that particular road and I understand that this has taken place. Can the minister tell us what exactly the government is planning to do on that particular road for the money being expended?

Hon. Mr. Lang: Perhaps the member did not hear me. It is planned to replace a culvert, as well as engineering costs, at Field Creek, kilometre 10 of the road.

Mr. McDonald: To refresh my memory, could the minister state what the cost of that engineering work and culvert work on that section of road would be?

Hon. Mr. Lang: The total cost, as we understand it at the present time, is projected at \$255,000.

Mr. McDonald: There have been representations made by me to have the government to do some minor upgrading work on the Williams Creek Road, which traverses Galena Hill. Is the minister familiar with this particular road and does he have any comments to make about it?

Hon. Mr. Lang: That is the first time those representations have been made to be.

Mr. McDonald: The representation was made to the previous minister, then, Mr. Tracey. Perhaps Mr. Tracey could communicate to the minister the number of times I have made representation in the past and it will give the issue a little bit of history.

In the past we have discussed the chip-sealing of the Stewart-Mayo Highway, at least I have suggested that it be chip-sealed. I understand that there was at least one resolution at the Conservative convention to that effect, as well. Can the minister give us any indication as to a time-table for the development of that kind of construction on that particular highway?

Hon. Mr. Lang: It will not be this coming year. I think it was made very clear to the member opposite, as I recall, that the first priority was the major highways — that is, the Klondike Highway and the Alaska Highway — for the purposes of application of chip seal, and then consideration could be given to other arteries. I would submit that it will be a number of years yet before we reach

our objective regarding the application of chip seal on those major arteries. It could then be reviewed at that time. I have not a complete timetable at the present time, but I would be prepared to discuss it with the member at some other time for a possible projection.

Mr. McDonald: I will be available anytime to discuss this. The previous minister had suggested that his retirement date would be as accurate as any other date as far as the timetable for chip sealing this particular stretch of highway. That does not give the people in my district, of course, any encouragement as to the future of the road.

In our discussions in the future, I would like to ask the minister by way of notice what the timetable actually is for this particular road. The minister made mention that there were arteries to be considered after the major thoroughfares had been completed. I would like to know what priority the Stewart-Mayo Highway is as far as the government is concerned? I have no more questions at this time on this particular line item.

Mr. Byblow: The first question is to do with the Campbell Highway and the minister's listing of project money under this line item. There was no specific block allocation for that highway. I would like to ask the minister what plans there are for that highway? As the minister knows, a portion of it from Carmacks to Faro is in a much better condition and grade than the section from Ross River to Watson Lake. The section between Faro and Ross River is of an intermediary standard or level. With respect to the long term, what is the intention regarding upgrading the Campbell Highway between Faro and Carmacks? I ask that with a view of addressing the serious grades, several hairpin turns, the barricades and protection on high sections with steep cliffs. In that same answer, the minister can address whether or not there are any intentions, again for the long term, for the sections of highway between Ross River and Watson Lake. He indicated, in the previous question from me, that there were no engineering studies planned in the immediate future, though I was led to believe from the previous minister that that was a plan in the next fiscal year?

Hon. Mr. Lang: Maybe, from an engineering point of view, there are some preliminary observations being made of the highway. It is our intention at the present time and in the foreseeable future to maintain it at the present standard that now exists. I just want to inform the member opposite, that in the late '60s and early '70s there was quite a concentrated effort by the Government of the Yukon to replace the bridges that were there with culverts. That has been done. We are concentrating on other areas where it is deemed to be of benefit to the travelling public to put in culverts as opposed to the wood bridges that have been put in place. That is the program or project that we have launched ourselves on.

The other fact to be presented, and the member opposite has stated it, is the lack of utilization of that particular corridor at the present time. The more utilization of the corridor, of course, the more emphasis we have to put on that particular transportation link.

Mr. Byblow: I think we are doing very well in maintaining it to the standard that it is, maintaining it on a year-round basis so that there is year-round access.

Mr. Byblow: The minister was talking in general terms, I gather, about the entire highway. The replacement of the bridges with culverts is the section between Ross River and Watson Lake. The section between Faro and Carmacks requires some planning for upgrading. We are talking about very steep grades; we are talking about dangerous corners; we are talking about steep cliffs without barriers or barricades. The minister drew reference to the lack of utilization. I can understand that, with the current status of the mine, that is a correct statement to make. But we do have the prospect that the mine will resume operations within the next year, and I am curious what planning this government has in store for that particular highway. I have a traditional highway question on the area, but would the minister respond to that last statement.

Hon. Mr. Lang: I think that the member opposite has made some valid observations.

Mr. Byblow: A former constituent of mine, of whom I have very many, is very distressed that a road in Yukon was named after him, and immediately improvements to it were stopped. With

respect to the Mitchell Highway, the minister will recall that upgrading for that portion of the highway was pulled in '82 when the mine first closed. Given that we do anticipate and expect that the mine will resume operations, what are the plans with respect to the Mitchell Highway?

Hon. Mr. Lang: As you can see, there is no money allocated for that particular section of the highway. If the decision is favourable for Cyprus Anvil going back into production, then due consideration will be given to allocation of dollars at an appropriate time. The fact remains, once again, that we have only so much money. It is a question of disbursing it throughout the territory, and trying to upgrade our transportation corridors. I would say that it is my understanding that the engineering work for that particular section of road has been completed, so when a decision is taken I do not think it would take that much to get the necessary paperwork done to put it out on a contractual basis. There are no plans at this time.

Mr. Byblow: When the minister says that due consideration will be given at the appropriate time, that is a very good political answer. If the mine goes back, is highways prepared to resume reconstruction of the Mitchell Road?

Hon. Mr. Lang: This is next year's budget. As you can see, it would be very difficult to make that commitment at this time, because the dollars have been allocated. I would suspect that you would have to wait at least another year to prepare for the completion of that section of road.

Highway Construction in the amount of \$7,049,000 agreed to. On Housing Construction and Renovation

Mr. McDonald: I have a constituency question which borders on education, I suppose. Because one teacher in Elsa is living in the school, it brings to mind the need for finding accommodation for that particular person, perhaps by Yukon Housing Corporation or some other means. My understanding of the issue over a long period of time has been that the housing for school teachers in that community has been fairly limited. The community has come to the rescue of at least one principal and provided that principal with housing.

My understanding is that the Department of Education does not wish to provide housing for its teachers and I believe there are only two teachers in the territory who live in a school itself, one in Beaver Creek and one in Elsa. The conditions of living in the school, obviously, are not conducive to either a good living practice for the teacher, nor to promote the education of the children. There have also been promises made in the past to provide some sort of accommodation for the teachers. I would like to know whether or not the minister is going to be addressing this problem in this capital budget and if he is, can he give us the extent to which the problem is going to be addressed? If he is not, can he tell us why he is not addressing it?

Hon. Mr. Lang: This is the first time the subject of accommodation has been raised with me by the member for Mayo. My understanding is that the priority of the community and the school committee was the recreational addition to the school, which we obviously took very seriously, as you can see in the budget. I would submit to the member opposite that there are no plans in this forthcoming year with respect to accommodation as far as the employees are concerned.

Mr. McDonald: Yes, this is the first time I have expressed this concern to this minister and perhaps that is the one problem associated with the government leader constantly shuffling the cabinet. It is very difficult to maintain consistency in making requests. Obviously, the information is not passed on from one minister to the next. The information is still sitting in the mind of the ex-minister of education. If it is not, the situation has been expressed by the school committee to the government on a number of occasions. This is the kind of communication that the government has praised over and over again as being the legitimate expression of the community's interest. The school committee has, I know, in its minutes — and I can provide the minutes to this Legislature — expressed its concern over some considerable period of time.

Prior to the last election, this issue was expressed to essentially

the same front bench as exists now, apart from one person. In a meeting in Elsa, I recall this issue being of some importance.

At that time, a company representative mentioned to the group that were gathering that the company would be providing a house for the principal at the time. I think perhaps the minister does not recall that the issue has been brought up before but nevertheless it has been and there have been plenty of public documents to verify that. Whether or not the minister has heard from me before, the request has still been made by the community. I am making it now publicly to the minister. I have made the issue public to the previous ministers and it is unfortunate that the government is not going to be addressing this situation in the capital budget.

Is there any way that the Government of Canada may address immediately the situation as far as the housing is concerned in this area without allocating the dollars under this item? Is there some way the minister can address the problem?

Hon. Mr. Lang: Not to my knowledge. My understanding is that the teachers do have accommodation. It may not be as satisfactory as the member from Mayo would like it to be but it is my understanding they do service the purpose for which they are there. I can sympathize to some degree with what he is saying. At the same time, once again, there is only so much money in the budget. I would say to the member from Mayo that the Mayo-Elsa area is getting a considerable portion of the budget. If you take into consideration the BST within the municipality, the recreational addition onto the school facility in Elsa, the Duncan Lake-Mayo culvert to be built, and the water and sewer projects planned for there, I would say that we are well over a million dollars for this area — and the member opposite continues to press. I can only say to the member who continues to raise these questions, is that if he was the minister of finance for the Government of Yukon I suspect there would be very little left for the rest of the territory.

Mr. McDonald: If only the people of Mayo believed that statement, I would be better off. Unfortunately for the territory, I am not. Perhaps that will come in time, perhaps as early as next spring, depending on the aspirations of the government leader. I notice on the list of things the minister has said that the government is doing for my district in this capital budget did not include the sign at Stewart Crossing.

Mr. Chairman: Order, please. We are now talking on line item housing construction. Please stay with it.

Mr. McDonald: You are quite right. I was merely responding to something that you allowed the minister to state, himself. I do apologize for transgressing the bounds of this particular line item.

The minister mentions the issue of trade-offs, and that because the community is getting something I cannot ask for anything else. The issue of the teacher housing in Elsa has been there for some time. Whether I have been able to extract some concessions from this government for this capital year is true or not, it would be interesting to provide an analysis of where the money is going in this capital budget because we do hear about government constituencies being covered quite regularly.

Even if that is true, it still remains that that is a fairly recent development. The district has not been getting, in my opinion, a fair shake. Nevertheless, it still does not account for a problem that could be addressed at a relatively low cost, that is the teacher housing in Elsa. It is my understanding that it is not the government's policy, it is not even the Department of Education's policy, to house teachers in the school. Numerous representations, which I know of, have been made to the government to state how miserable the situation in this thing can be. Now, if there is absolutely no money in the budget, we cannot possibly expect that the disposition should be addressed. But it is, and it always will be, a situation of priorities, a consideration of priorities. Now I am suggesting that this issue has been around a great long time. It has been in existence ever since I have been in the territory. This issue ought to be of some priority and I am mentioning it now. The claims that the minister has made that he has never heard of it before only seems to suggest that the minister has a very short memory. This remains an issue.

If the minister would like to consult with me on a regular basis, I will tell him what I think the trade-off ought to be. If he is going to be absolutely honest and give each constituency his fair share — I have

been talking about what the trade-off should be. He does not consult with me, he never consults with me. I tell him now, what the trade-offs should be. He should not be upset when his priorities do not match mine. He has never heard mine before; he has never even solicited my opinions before. I am telling him now what the priority is in my riding. If he is not going to do it in the next budget, I would certainly hope that in the capital estimates next fall, this kind of problem will be addressed. It is a priority for my district.

Housing Construction and Renovation in the amount of \$411,000 agreed to

On Engineering Services Agreement

Engineering Services Agreement in the amount of one dollar agreed to

On Other 1984-85 Items

Other 1984-85 Items agreed to

On Total Authority

Total Authority in the amount of \$18,688,000 agreed to

Community and Transportation Services in the amount of \$18,688,000 agreed to

On Department of Education, Advanced Education and Manpower

Hon. Mr. Lang: As one can see, within the financial limitations that the Government of the Yukon has to work in, the Department of Education has continued to have the support of the government, as far as financial commitments being made to the system of education in Yukon. I think it is safe to say to all members that this allows us to maintain the positive direction for the Department of Education, as far as meeting the aspirations of the students and parents within Yukon.

³⁸ You can see the departmental budget amounts to \$4,472,000. That was in 1984-85. In the forthcoming year, you are looking at a budget of \$6,137,000, which reflects a major increase as far as the programming for this particular area.

I would like to draw your attention, in particular, to the growing computer education program which has been firmly established in our public school system. Since January of 1984, the department launched a major thrust to expand the further development of computers in schools throughout Yukon. I should point out to all members that there are two fulltime seconded teachers working in the department who are conducting in-service training sessions with all Yukon teachers during the spring of this past year. The purpose is to familiarize teachers in the use of computers and the ways in which computers can be incorporated into the classroom.

In January of 1984, the department purchased 60 Apple Computers and appropriate software packages to meet the growing demand within the schools. It is interesting to note that the total number of computers now in schools of Yukon number 248. We have allocated \$500,000 for this forthcoming year, which will continue to go to equip all our public schools with the microcomputer hardware and software. There is no question in my mind that we are progressing into a changing world and these capital dollars will definitely help our students prepare for the changes that are being made in the world of technology, both nationally and internationally.

It is important to note that there is another major capital allocation and that is toward initiating the construction of a new college for Yukon. This is in order to expand and upgrade continuing education in Yukon. The first phase of the development, site work and free engineering work, is to be done in this forthcoming year at a cost of \$2,900,000.

I used some statistics earlier in a debate in this House and I just want to correct for the record that in 1983-84 in day courses we had 1,206 students, in evening courses we had 412 for a total enrolment of 1,618 students. The number of programs offered during the day have been 53 and the evening programs consisted of 21 for a total number of 74 through Yukon College. I think it really reflects the commitment of all members of this House to put forward the principle of advanced education. Also, I think we recognize the need of our general populace for the purpose of upgrading skills and, perhaps, looking at acquiring new skills so that they can look in other areas for the purposes of employment.

³⁹ There are also other improvements that are going to be made to physical plant facilities in the 1985-86 year. For example, a major expenditure, which I am sure the MLA for Kluane will be very happy to see, are the plans to put an addition on to the Robert Service School for home economics, business education and industrial arts facilities, for an expenditure of \$592,000. This ensures our commitment that we made a number of years ago to upgrade our schools, where appropriate, for these types of facilities. As you will recall, we have just completed facilities both in Teslin and in Ross River, as far as industrial arts is concerned. We will be putting on an addition, which I am sure the member for Elsa-Mayo will be speaking at great length on, to the Elsa School, as well as upgrading all the primary schools of the MLA for Riverdale South. These are going to be activity rooms for those particular schools.

FH Collins is going to receive \$100,000 for purposes of retrofit for energy efficiency and also to upgrade some of the areas of the school. In total, public schools will receive \$1.5 million for facility expansions and upgrading, and a further \$162,000 for grounds and landscaping projects.

I should also point out that for existing Yukon College community learning centres, \$465,000 has been allocated for new and replacement equipment. Also included are \$144,000 for lab equipment, for computer management and engineering design courses. Public libraries are to receive a good amount of capital funding in the coming year. In order to expand and otherwise improve services at branch libraries throughout Yukon communities, \$65,000 has been designated to provide for additional space and equipment requirements, particularly in Carcross, Beaver Creek and Ross River. A further \$19,000 is to be spent on library technical service equipment and audio-visual equipment, and \$30,000 in the archival unit.

These figures summarize and highlight the major projected capital expenditures in 1985-86, and I think they will meet with approval of all members, since they are consistent with the direction of this government to provide quality service to all Yukoners.

Mr. Byblow: I thank the minister for that main address. I would like to tell him that we, on this side, anticipated not having to deal at any great length with educational matters, because we had adequately advised the previous minister on educational matters and expenditures, and that we would not have to be concerned with misappropriation or poor judgment in appropriation. However, we have a new minister, and it looks like we may have to ask similar questions to those that we have in the past several years. Those questions could be very many. Recognizing that this is a capital budget, we will try to restrain our questions to those of a capital nature.

⁴⁰ The minister dealt, to a large extent, in his opening remarks, on the computer program monies, as well as the Yukon College monies. I have questions on each of those. Before I launch into a series of questions, I would make note that with the removal of the Yukon College portion of the budget the total budget would be \$3.2 million for this year. That does not take away from the importance of the Yukon College decision. Recognizing that the monies identified for Yukon College are primarily of an engineering and feasibility purpose, could the minister clarify what scope of activity the \$2.9 million will entail this year and relate that in terms of the subsequent years to completion of the project at the prescribed \$40 million estimate?

Hon. Mr. Lang: I just call on the Chair here to ask if it would not be more appropriate to do that line item by line item, as opposed to asking specific questions on line items in general debate?

Mr. Chairman: I think it would be more appropriate.

Mr. Byblow: That is perfectly in order with me. My question would be similar in the computer allocation monies, so I could leave that to a line item and I would defer to my colleagues for general debate.

Mr. Kimmerly: I have a question about the priority between computers and books. It does not follow neatly under one line, or if it does it is the first line. The government is embarking on a computerization of its school programs and that is laudable and we

support it. I have heard personally complaints about the lack of textbooks in, especially highschool, and I am concerned as to the priority between computerization and purchase of books. I would ask specifically if the textbook budget is suffering at the expense of computerization and is the minister satisfied that all of the textbooks necessary in schools are in fact there?

Hon. Mr. Lang: We do get cases where there is a shortfall or where there is lack of communication between the school in question and the administration. My understanding overall is that we are meeting the requirements within the classroom as far as the availability of books is concerned. At times we do get into position where, perhaps, they have not been sent as expeditiously as possible from where we have ordered them. Overall, I think that we do meet that and I want to ensure the member opposite that the requirement to purchase is not being done at the expense of getting further into the world of computers. We still have our commitment for the purposes of replacing our books. We now have a much more sophisticated system than we had a number of years ago and that is with the Library Audiovisual Centre that we have at the Whitehorse Elementary School, which gives us some ability to control where books are going and to the amount that are being sent and whether they are being utilized.

If there are concerns being raised in a particular area, I would like to hear them and they can be checked out. Overall, my understanding is that we are meeting that particular aspect of the education almost completely. In discussions with the school committees, in general, and as an organized body, there are very few complaints, if any.

Mr. Kimmerly: I would like to ask two follow-up questions, which are probably extremely easy to answer.

The minister explained that there are no complaints about textbooks from the school committees — very few. Are there complaints from principals about the availability of textbooks?

Hon. Mr. Lang: I just want to correct the record. I said there have been very few complaints. We did have one minor problem in Watson Lake, which was brought to my attention and which was rectified this fall. To my knowledge, there are no other major problems as far as the availability of books is concerned. I just want to go on the record and point out to the member opposite that with the communication systems that we have in Yukon, it is our objective to have an annual telephone conference meeting once a month with all principals of the territory. I think that those questions, if they do come up, they would come through that particular forum and would be dealt with.

Mr. Chairman: Any more general debate?

On Miscellaneous School Equipment

Miscellaneous School Equipment in the amount of \$750,000 agreed to

On Whitehorse Elementary School Renovations

Mr. McDonald: In this \$450,000 for this last year, can the minister give us any indication as to when this work is scheduled to be completed?

Hon. Mr. Lang: There would be \$100,000, which will complete the phase of retrofitting including millwork, wall and formulation of plumbing and, depending on the dollars allocated next year, there will be a final phase to the program and it will be completed. I do not have the dollar figures in front of me for next year but that will complete the renovations at hand that are necessary as far as the school facility is concerned. Half of the phase was mechanical and millwork or engineering as far as the facility was concerned. This year we will close some of that in and clear up a lot of the work that has to be finished.

Whitehorse Elementary School Renovations in the amount of \$100,000 agreed to

On Grounds and Landscaping

Mr. McDonald: Can the minister give us any indication as to the areas where this funding will be spent? Is the funding for all schools around the territory, therefore, meaning that we do not have to go through a loan, or is it primarily given to certain schools in certain parts of the territory?

Hon. Mr. Lang: It is on an ongoing, rotating basis generally. As far as the landscaping is concerned, FH Collins, Jack Hulland,

Whitehorse Elementary School, and also there is a few dollars set aside — I do not have the exact amount — for the purposes of schools throughout the territory for an ongoing O&M basis. You will recall that we completed the school grounds at a number of our rural schools over the past number of years. These schools are presently in the rotational path for the purpose of improvement. It is an ongoing cost to government and we recognize that we have to have an annual allocation of capital dollars in order to keep upgrading the exterior of our schools.

Mr. McDonald: I support this kind of expenditure. In conjunction with the BST program in various communities, is there an effort to chip seal school parking lots when the chip sealing takes place in the communities?

Hon. Mr. Lang: There are reservations about chip sealing parking lots because the application is such that you largely combine it to the base of the roads. Where there is a lot of starting and stopping, it does not, in many cases, hold up. That is why we have not taken, as a priority, the chip sealing of parking lots around government buildings. We are concentrating on the roads where there is steady movement as opposed to the starting and stopping.

I should point out that that is the one weakness in the chip seal program and we are experiencing this at the intersections of these streets where there is a lot of starting and stopping depending on the amount of traffic.

Mr. McDonald: I wonder if the minister will recognize that we are waiting for Carmacks to tell the tale as far as the value of the chip seal program in the communities is concerned. One of the reasons for Carmacks coming first was that it was supposed to be a test case. There was no other reason given as to why it was to be the first community to receive chip seal. Is there any parking lot in the territory currently which has chip seal for which the minister can give us some indication about the nature of chip seal on things like school parking lots?

Hon. Mr. Lang: First of all, I would like to correct the record. Watson Lake was the first community, and it was quite a number of years ago, to have an application of chip seal on a number of the streets. The L.I.D. had actually gone ahead on their own in conjunction with some chip sealing that was being done on the highway. It was paid for, put on a number of the streets and it was very successful and we thought we could utilize this particular application elsewhere in the territory. Once it was successful there, it was proved to be very good.

I do believe that there is one parking lot there that was chip sealed — I am going on memory and I will have to check — but I believe they did have problems from the point of view that I expressed to you earlier.

⁴³ I will double check that, Mr. Chairman, because I know there are concerns from the people who work with the application of chip seal that where there is a lot of stopping and starting, it does not hold up.

Mr. McDonald: I understand that the methodology of applying the chip seal has progressed over time and has become more proven and that the technology of application is becoming better. For that reason I assume that using the new technology at Carmacks was to be considered a test case, because we were given reason to believe that was the reason Carmacks went first before other communities. If the minister can get back to us on the situation as it involves parking lots, it would be appreciated because there are people in some rural schools, from indications we had from the education task force hearings, that the chip sealing of the parking lots, while the government is chip sealing in the community in any cases, would be a happy development. Certainly that was the indication that even the people in Mayo had given me.

Mr. Byblow: On the subject of grounds and landscaping with respect to policy, one of the perpetual problems, it seems, both in this area of grounds and landscaping, in the area of school equipment and in the area of improvements, there appears to be a constant complaint that surfaces quite frequently of a lack of communication between the department and the school committees, or the parents, or the school itself. In other words, what appears to often happen is that requests of the school committee, the community or school administration, do not get adequately trans-

lated somewhere, because there is little response in the completion of the projects or acquisition of the equipment or in the total process of communications. As a matter of policy, what is the minister's understanding that he has of the communication process for the improvements of school facilities?

Hon. Mr. Lang: There is obviously discussion with the school committees where possible and we also have other forums as well, such as the education council, where people have an opportunity to make observations. Obviously you are going to be able to pick cases where problems have developed, perhaps because of personality, which is not unknown to happen in a small community such as ours, or the lack of dollars to meet the aspirations of a certain school committee because they were under the impression certain things were going to happen but the dollars did not materialize. So those things can happen, and subsequently in the story-telling, after about the third person, it becomes a major event. But from my perspective and from my knowledge of the territory and inspection of the schools and grounds — i.e., Faro, Mayo, Whitehorse Elementary School, as far as landscaping is concerned — I think we can be justifiably proud of the amount of dollars expended and the resulting appearance and the obvious pride we are taking in our school facilities.

« All I am saying is that it is an on-going exercise, and I am pleased to see members opposite support it. We will do our best to consult those people directly involved. That is all I can say.

Mr. Byblow: I appreciate the minister's frankness on the general problem. Perhaps it is not as amplified as one would make out, in every community. It does just occur in certain instances. I am wondering if I could advise the minister that perhaps the problem is not just the allocation of the dollars or the relaying of correct information from the one stage to the next stage; rather, that the problem is in part because of the transmission through the various departments for some of this work to get done. If you are dealing with equipment, you are talking about supplies, you are talking about ordering, you are dealing with another two or three branches of government by the time the final approval and acquisition takes place. The same thing happens on a project. From the level of a school committee that makes a request to the department for improved facilities, you have that transmitted through education council, into the department, which then gets channelled through government services, and there is another whole range of personnel who deal with it. It gets lost in the shuffle. Perhaps, on the general subject, my advice would be that we could look at more streamlining of this process.

Grounds and Landscaping in the amount of \$162,000 agreed to On Yukon College - New Construction

Hon. Mr. Lang: This is the first major amount of dollars that will be voted towards what is known as the Yukon College in the new site. We are asking for \$1.1 million, which will be used for architectural costs, and other design costs, as far as engineering is concerned, and also \$1.8 million for the purpose of site preparation, and there are some pre-engineering dollars in there. I know that the member opposite is going to ask what is proposed for next year. I am a little hesitant to give you a dollar figure. A number of structures will undoubtedly be built on the site. They will be built according to what dollars are available within the scope of our government, and also in the scope of the demands that we have on our vocational school, or Yukon College, as it is referred to now.

I think it is important to note, as I said at the outset, the numbers of people who are presently using our present facility in Whitehorse. I know that there is a move from some members, or some talk from some members, that it should be placed outside of Whitehorse. I have to say to you, from the cost effective point of view, it would be very difficult to do that, and also from the point of view of utilization of the facilities within the City of Whitehorse. I can outline the number of students who are attending. Therefore, that totally negates the idea of moving it outside of Whitehorse, unless you want to go into a major expense of dormitories and the necessary infrastructure, et cetera, in other communities.

I know that there is a need in the rural communities for further advanced education. We are prepared to provide that if the numbers are there, and it can be shown that the numbers are there, where

possible, and within our financial limitations. I have to couch that statement with the word finances, because that is what it boils down to, the economics.

⁴⁵ I do want to say this: I think our facilities throughout the territory have been utilized progressively more and more as the years go by. It speaks well of our staff who are located in the various communities. I know many of them put in a lot of extra time to provide programs, especially in the very small communities, for the purposes of providing those people, adults especially, with night courses where possible. From my perspective and the department's, we really appreciate the effort that goes into these programs by these individuals who are, in a good part, donating their time and efforts in the community.

Mr. Byblow: We do not have a problem with the intent of the expenditure or the principle of creating a facility for the purposes of upgrading the education of our population or improving skills. Certainly it makes sense that during the current time of recession, with high unemployment, people do take advantage of that opportunity for these purposes. Certainly the purpose and the intent of the expenditure is not something with which we would quarrel.

The minister touched on several things that I believe that we do have questions about. Certainly, the question of relocation to another community, not of the entire facility but a portion of the facility, over the long term does make good sense. Certainly, the member for Mayo and I have expressed this point of view repeatedly in the House before. I draw into reference my specific community, which lends itself extremely well to a training ground of a certain sort in the industrial area. We have the infrastructure there. We have the full facilities in terms of mining equipment and personnel. It would expand the economic base of the community. It would be a very useful exercise by any government to decentralize its services in that respect.

No one is asking for the entire facility to be relocated, but certainly we are pressuring the government to reconsider their intentions over the long term in the creation of this college for portions, or a portion, of it to be relocated in other communities that lend themselves — better than Whitehorse does — to the training that we are talking about. It is something that the minister should not dismiss and that we will be pressuring further, because the argument cannot be disputed that it makes good sense from an economic point of view, from a practical point of view and, certainly, from the point of view of decentralizing services.

The minister was not prepared to state what they were going to do next year. That would lead me to a number of questions of a general sort.

⁴⁶ We are talking about a design of a facility, and we are talking about site preparation. What consideration has this government given, at this time, to introduce concepts of local materials in the construction of the facility? I recognize that we are talking about a staged-in facility over a number of years. We are talking about a complex structure with many requirements for meeting standards and for meeting the needs of training requirements. To what degree is the government addressing that aspect in its design preparations?

Hon. Mr. Lang: We are just in the preliminary stages of asking for proposals of what people could see included in the eventual construction of Yukon College. I know what the member opposite is pointing towards: the utilization of some of our natural resources here. I cannot see any reason why, for example, in the construction phase, depending on costs, that a lot of the lumber that is required could not be processed here. In many cases it is. Perhaps it is not highlighted, but if they are competitive, and provide the necessary goods that are required, they can be provided locally. I am going to be looking at the results of what the design is going to comprise of. One of the major concerns is energy conservation, which is similar to the justice building. I think that the Minister of Justice, in concert with Government Services, fairly adequately in my opinion, is trying to ensure that the structure will be as energy efficient as possible. It reflects on operation and maintenance. I would like to see a serious look at what could be utilized for a local resource here. I think we will be proceeding to some extent, somewhere, to see how the woodchip idea works in Whitehorse. I think it will provide employment and will save us dollars, whether it be this

building or the justice building, or a combination thereof, as far as the heating is concerned. It is going to be up to those people who are providing the necessary proposals, and to see just exactly what they are prepared to provide for the purposes of the structures that are necessary for Yukon College.

Mr. Byblow: The minister seems to leave it a little open-ended about whether or not the facility is going to insist or demand that full consideration be given to the utilization of local materials. I would press the minister to try to determine whether or not that is a parameter of the tender being called for in the design of the facility. The open-ended nature of the minister's response indicates to me that its a "maybe" or "maybe not" that we will utilize local materials. I believe that it ought to be an insistence that at least one quote have that full consideration.

My second question on the subject deals with input consultation and, in general, communication.

¹⁷ What process is the department using for public input on this facility? Are we talking to the Post Secondary Education Advisory Council; are we going to have a series of public meetings or are we going to be utilizing any research, Yukon-wide, of the needs of upgrading and retraining? What is the process the minister is going to be using for full consultation in this very expensive and worthwhile project?

Hon. Mr. Lang: There is no question that we will be discussing the proposals with the Post Secondary Education Advisory Council to get their ideas. I would also submit that we would have some discussion with the City of Whitehorse as far as engineering or whatever is concerned, because we would be adding on to a system that they would have to maintain. If you are asking me if we are going to go through a series of public hearings, I do not think that is the intent. The model that is finally selected would be available for public viewing, but I think our government, in conjunction with the advisory group on post secondary education, will have some obvious input from the present teaching staff and principal at Yukon College, as they are the ones who will be working in the facility. There will be a steering group, already created, through the various departments concerned and within the Department of Education. Once we get down to the serious situation of evaluating proposals, there will be enough mechanisms to ensure that those people knowledgeable on the subject will be able to make their contribution.

Mr. Byblow: The minister referred to a steering committee. Is that an internal government group? The minister nods yes. With respect to the site selection or site preparation, someone approached me today expressing some concern that the site selection is in the flight path of the airport. How was the site chosen and what consideration was given to the 13 acres set aside?

Hon. Mr. Lang: I am going on memory but it was 52 acres that were set aside, not 13. This was a battle fought three years ago, I believe. That is when the City of Whitehorse finally came to the conclusion where it should be situated. I will have to take notice on the question that has been presented, but I am sure it was taken into consideration, especially in view of the fact that everybody knows what the proximity of the site is and that the airport is in direct line with it. I am assuming that is not a problem, but I will check out the representation made to me by the member opposite.

Mr. Byblow: I neglected to ask a question arising from some earlier remarks. What is the minister's position about locating a wing or a section of the college in another community for the purposes I expressed earlier?

¹⁸ **Hon. Mr. Lang:** Depending on the course that was being provided, and what was being offered within the community, I think it is safe to say that we have a commitment to all communities in Yukon by the expenditure in this House for the mobile vocational trailers that are being made available to the communities throughout Yukon. I would not totally discount it ever happening, but I can say that at the present time, the first step of Yukon College will be located in the City of Whitehorse. That is not to say that at some given time, in some other area that there cannot be an extension program by Yukon College. I think that the beauty of having a centralized location is that it can be utilized for the purpose of extension courses, and if the facility is necessary, we would have to

consider it at that time, depending upon the number of people who are really interested in taking courses that were being provided, and to ensure maximum utilization of the facilities. That is a chief concern and I am sure you would share that. Any facilities that we were to erect, we would make sure that the utilization of the facilities was at a maximum because it is a very expensive area and the costs are directly borne by the taxpayer. There are very, very few dollars, as far as the user/pay concept is concerned, in facilities of this kind.

Mr. Byblow: What is the present stage of the process to solicit the design awards? Are the tenders being prepared? Have they been publicized? Where are they and do those tender specs, if they exist, include a dormitory for the facility?

Hon. Mr. Lang: No, not at the present time. I do not believe that there are any tender specs yet. My understanding is that the steering committee is just in the process of putting them together. Then they will be going to various, nationally renowned architects for proposals.

Mr. Byblow: Will the design call for the inclusion of a dormitory?

Hon. Mr. Lang: I have had some discussion with the department. I would suspect that it will be part of the college and the costs would be brought up at that time. It plays a part, as far as the school is concerned.

Mr. Falle: Does the business community have any input into the college, itself. I believe that the purpose of the college is for the business community, in whole, to try and get jobs for people. I would like to know whether or not they would be consulted on what type of trades and equipment is required?

Hon. Mr. Lang: They are consulted, primarily through the apprenticeship boards, where you have employers and employees represented throughout that particular mechanism. There are some employers on the Post Secondary Advisory Committee, which is another vehicle where involvement is concerned. There is no question that through the various government agencies there is an ongoing monitoring of what skills are needed, i.e. our involvement with the Beaufort Sea. If their courses have to be put on, we have indicated that we are prepared to put them on, if they are directly attributed to that project. There are methods for the employers, through organizations or individually, to come and see our people and to discuss the changing of programs, or the improvement in programs. The vehicles are there.

¹⁹ **Mr. Falle:** I would like to have his department check into the type of trade schools and colleges they have in North and South Dakota, just to check examples on how the business community really works.

Mr. McDonald: I was going to ask the minister when there was going to be an agricultural institute on the grounds of this new college, and, considering the size of the acreage, we could perhaps reserve half or three quarters of the area for various experimental stations. I would like to ask the minister a question about the proposed expenditure. The explanatory note would have us believe that the expenditure will ultimately be \$40 million. Can the minister give us some indication on what timeframe this expenditure will be made?

Hon. Mr. Lang: It is proposed over a five year period.

Mr. McDonald: Do we have a commitment from the federal government that this kind of funding will be there for us over the next four years?

Hon. Mr. Lang: There is only two real commitments in life, and that is death and taxes. I would transmit to the member opposite that it is going to be subject to negotiations every year with the Government of Canada, as far as this particular project is concerned. I think it is safe to say that I am viewing it optimistically because we are dealing with a climate across the country that all indications are that more and more emphasis is going to be put into post secondary training. The people are changing their jobs, and changing the ways necessary to make a living North America. All I can say is that we believe that it will be seen as a high priority by the present government.

Mr. McDonald: I think my concern is well placed. If there is no specific hard commitment to provide this kind of expenditure

now, it leaves one to question whether or not the initial expenditure of the first phase is money best spent. We always have to deal with a limited number of dollars. We always have to deal with priorities in the territory. We obviously would like to believe that Yukon College will go ahead for the next five years. The minister is prepared to state that he has received some sort of commitment that within the next five years this money will be spent then obviously there is no cause to worry. However, if the commitment is rather wishy-washy, that perhaps we might get \$2 million or \$3 million now, but budget restraints over the next few years may extend the timetable indefinitely into the future, making the \$2.9 million a questionable spending priority at this particular time. Perhaps then we have cause to worry. Is there a more solid commitment that the minister can provide the committee which would make us all feel much more comfortable in expending this money now?

Hon. Mr. Lang: Firstly, I just want to assure the member opposite that, as the member knows, there is a Conservative government with the Deputy Prime Minister representing this area. It is a pretty prominent place as far as Canada is concerned.

Secondly, there is no question that the tenure of this government is another two years. We did make a commitment to the electorate to launch into Yukon College. We are in the process of fulfilling that commitment.

All I can say is that there is no doubt in my mind that another territorial Conservative government will be elected. That commitment will continue. I want to assure the member opposite that Yukon College and the future of Yukon College is in very competent and capable hands.

Mr. McDonald: The member did refer to the government being re-elected but, of course, he did not guarantee it would be reelected here. That is highly debatable and we will be challenging the government this coming spring, if not sooner.

The minister restated the value of the Erik Nielsen umbilical cord of nourishment and that we could count on this to guarantee some kind of continued funding, but we know that the Deputy Prime Minister is busily trying to cut expenditures wherever possible. Perhaps the government will have to understand that our reliance on this umbilical cord of nourishment may not be well placed, and, that perhaps, if we had some sort of commitment from even departmental officials that this is something that they would regard as being of a high priority, we would feel a little bit more comfortable. Of course, the vagaries of federal politics means that certain things, obviously, cannot be guaranteed but we can feel more reassured from a more clear statement than what the minister has provided us all ready. We could be more reassured that, perhaps, this Conservative government is not going to be cutting back on this kind of expenditure. I would feel very much more comfortable if some sort of minimal guarantee could be provided to the territory so that we know that now is the best time to spend the \$2.9 million towards the final expenditure. I think it makes good sense.

I would like to ask the minister if there is anything specific or if there is any written agreement with this government to suggest that we can expect \$40 million in five years?

Hon. Mr. Lang: I have given the member the reasons why I am optimistic as far as dollars are concerned. There is no written agreement. There never has been a written agreement, to my knowledge, in respect to capital expenditures. There is common understandings with the Government of Canada but it is all subject to finances being made available. I am saying to the member opposite that to the Government of Canada, no matter whether it be Yukon or Newfoundland, the area of advanced education is obviously a very high priority for the expenditure of public funds.

I think we have a valid case for the purposes of a Yukon College within Yukon in view of the utilization of the present facilities, and in view of the fact that those facilities are 20 to 25 years old. Therefore, we are going to need new facilities for the purposes of carrying on programs and bringing revised or new programs into effect. With that in mind, I want to assure the member opposite that I agree with him. There are no guarantees in life and that I cannot guarantee the member any future, no matter where it is. He can take my assurances and the policy commitment of the Conservative Party

toward this end to meet the aspirations of the people of the Yukon as far as the Yukon College is concerned.

Now, taking that in its context and the way it is presented, I can see no reason why the member opposite would argue with me because a commitment was made.

⁵¹ It was made to the general public and I believe we are fulfilling that commitment. I just want to assure the member opposite that while I am a member this will continue to be a high priority and I am sure that you will see various other financial commitments by the Government of Yukon in this area as the years go by.

Mr. McDonald: In my short political lifetime, I have a rather jaundiced view of political commitments, whether they come from this Conservative government, from the Conservative government currently in Ottawa, or their Liberal predecessors. Perhaps he will understand that I take his commitment, or his commitment on behalf of the federal government, with a grain of salt. The minister makes a point that there is no reason to have a written agreement because capital expenditures generally do not have a written agreement.

Hon. Mr. Lang: We never have them.

Mr. McDonald: Not on a year-to-year basis. This is long-term project; this is not a project which is going to deal with one particular school over a period of one year. This is a long-term commitment over a period of five years. We have been hearing about agreements for highway development around the territory.

The government leader is coaching his minister, Mr. Chairman. If he would like to say something himself, I would invite him to.

I think that there a valid case to make in asking that we receive some more of a commitment than merely a verbal intention on the part of the federal Conservatives. As much faith as this government may have in their Conservative counterparts, they are going to have to understand that faith is not entirely shared by this side of the House. We do not take it as a matter of faith that they are going to follow through. The minister makes a point that there is a valid case for this college, and there is no question in anybody's mind that there is a good case for that college. There is also a good case to maintain the integrity of the unemployment insurance system but the federal Conservative Party is challenging that. So, whether or not we have a good case, it is not the political point to make. The case is going to be that if we can get a commitment over five years — some sort of a written commitment — from this government, we would feel much more assured than just having this verbal statement of intentions.

Hon. Mr. Lang: With the attitude taken by the member opposite, I think that it is safe to say we should stop planning to upgrade and pave our highway system, because we have no written agreement with the Government of Canada. A political party which I am not affiliated with was in government for quite a few years — yet, every year, it was a question of negotiations for the allocation of dollars, and things proceeded. I say to the member opposite I cannot provide the guarantees he would like but I would like to assure him that any time I have made a commitment to him, I have carried it out and I will do so to the best of my ability as far as this particular line item is concerned.

Mr. McDonald: The integrity of the highways project does not depend on continued capital input year after year.

Hon. Mr. Lang: What?

Mr. Chairman: Order, order.

Mr. McDonald: I think all three ministers would like to stand up at once. Perhaps they can ..

Mr. Chairman: Please remain on Yukon College — New Construction.

Mr. McDonald: I am trying to draw an analogy between various capital budgets. Whether the government pursues capital expenditure on one portion of the Klondike Highway does not ensure the passability of that particular road.

⁵² However, if we are going to spend \$2.9 million on this project, which is just the engineering work, and the plan development, and the site development, then there is some desire to have some sort of commitment, or some sort of rudder, to continue with that expenditure. Obviously we are not going to get anything more from the government. All I can do is repeat this exercise next fall to see

whether or not they can give a commitment for the balance of the \$40 million, and if they are lucky enough to get the money on a regular basis, then so be it, we will all have the college and we can all be happy.

My next question deals with the issue of the dormitory. Can the minister tell us whether or not the dormitory is going to be included in the plans for this college?

Hon. Mr. Lang: I should check the rules to see if there is anything there that chastises a member for not listening to questions that have previously been answered. The member for Faro asked me that particular question, and I said, yes, — Y-E-S.

Mr. McDonald: Could the minister give us some indication as to what new facilities they would like to see incorporated into the plan design. For example, the agricultural issue: I suggested somewhat flippantly that we might consider something like agricultural training courses, which do require certain specific kinds of facilities. They cannot be dependent entirely upon standard classroom space. Can we expect that that will be given some sort of priority from the government?

Hon. Mr. Lang: I want to express to the member opposite that this is not an institution for one specific area. This is a Yukon College, primarily for the purpose of putting a series of programs on in different fields, where there is a public demand for them. There will be a combination of academic and non-academic courses being provided. I want to say to the member opposite that if there is a demand for some agriculture courses, of course they would be presented. I do not think that he should take the indication that there is going to be five buildings: one for agriculture, one for industrial arts, and the story goes on. A complex will be built, and I am making the assumption at the present time, which will be dependent on the proposals, and the criteria that is going to be required within those proposals, comprised of a number of buildings. If it is mechanics, heavy duty operating, or that type of thing, then it would obviously be a different type of structure than a classroom setting. I am going to have to wait to see just exactly what the proposals are, in view of our programs now. I will probably be in a better position to answer a question more definitively this spring.

Mr. McDonald: If nobody else undertakes to ask the question, I certainly will ask the question when the time comes, this spring. I would like to make one further plug for facilities in rural districts. The reason for that is not just to move for the sake of moving a facility to a rural centre. It is not just to teach various college courses to the rural people in a particular community.

⁵³ It is also to be considered as a cost effective measure of providing certain kinds of extension education. The reason why you would move a mining course or a trade course to Faro is not necessarily because you would want to save the community of Faro from extinction, but because there is a mine in Faro and there are facilities there already. There also happens to be housing there. One good reason for providing extension services to rural communities is that it would be more cost effective in terms of the capital costs of providing facilities. That ought to be kept in mind when we are doing feasibility studies for the college. Perhaps, we will know that the open pit mine in Faro, or the underground mine in Elsa or Keno or Carmacks can be used as training centres, thereby keeping the capital costs of providing these programs down.

Yukon College - New Construction in the amount of \$2,900,000 agreed to

On Yukon College Renovations

Mr. Byblow: The explanation of the line item tells me that this is for some improvements to what I believe to be the electrical, the plumbing and perhaps other fixtures including some general space areas. With respect to the college renovations that took place this year, could the minister report the level of improved course facilities that the renovations provided? My question is essentially asking how many more classrooms did the renovations produce; how much more are they utilized and what is the minister's response to the sacrifice of the dorms that took place in the project?

Hon. Mr. Lang: I do not see that information before me at the present time. I know that there were quite a number of classrooms created with the decision that was taken. The students are housed elsewhere within the community and it has turned out well for

everyone concerned. My further understanding is that they will be completed for the purpose of providing whatever courses are going to be put on — starting January 1, if all construction is completed — but I would have to bring an update as far as specifics that you have outlined and I will try to provide them for the member opposite.

Mr. Byblow: Yes, I would appreciate that. The renovations are obviously in a state of completion. Is this \$159,000 that we are voting now an extension of that renovation, or is this new incidental work that is being considered?

Hon. Mr. Lang: An additional amount of work is being added. The kitchen ventilation is \$37,000. The upgrading of lighting and fire prevention work and industrial vocation areas to meet the safety standards is \$61,000 and that reflects what I said earlier. The building is 20 years old now and it is a question of getting it to today's standards. The exhaust system in the carpentry shop, which has been a hazard, is \$52,000. Miscellaneous renovations to meet change in requirements is \$9,000.

⁵⁴ **Mr. Byblow:** The minister said in an earlier answer that there was no problem as a result of eliminating the dorm, that everybody found other accommodations and everybody was better off for it. My information is that there is still a general problem and it boils down to a difference in opinion of whether a dorm is more suitable than looking for space elsewhere in the city. Now, the department, I believe, arranged, in part, a Fourth Avenue facility. Has the department provided more than guidance for students to find other locations? In other words, have they provided any additional funding or any additional subsidies for accommodation purposes?

Hon. Mr. Lang: My understanding is that we have supplied an employee in the government to act as a housing manager — if I can use that terminology. We worked out a deal with the YWCA. Incidentally, CMHC did come to us. We did not go to them. We booked ahead, I believe, 18 rooms. We met the demand as far as rural students were concerned. At least, to my knowledge we met it. When there was a certain election going on, a certain politician tried to create an issue, but a number of students themselves indicated — if what was written in the newspapers was accurate — that they were satisfied with their accommodations. Therefore, we do supply a subsidy directly to the student and, therefore, it is up to the student. Similar to any other centre, whether it be in Vancouver or Lethbridge or wherever, we do supply a certain amount of accommodation but, overall, most students have to find their own accommodation.

I should add that a lot of students prefer to find their own accommodation if they have the options.

Mr. Byblow: The previous minister and members of this side exchanged considerable debate last spring. I do not wish to resume it but I would only take exception to the minister's remark that all students prefer other accommodation.

Hon. Mr. Lang: I said some.

Mr. Byblow: The minister may have said some or the minister may have said most, but my comment on that would be that the absence of the option for some rural students has placed more of a burden on these people to adjust to the lifestyle expected of them when they come into Whitehorse. With the minister having said that the new college is going to address the question of a dorm, I really do not have much more to say on the issue. It is a *fait accompli*. History is past.

⁵⁵ On the Yukon College renovations, the revised estimates indicate a \$711,000 allocation that is slightly higher than we originally proposed. Can the minister indicate if the renovations last spring, that are still ongoing, are coming in around budget.

Hon. Mr. Lang: That is what I understand, that it is coming in fairly close to budget. I am not too sure what it will be under, but I did give direction that I did not want that particular line item exceeded. We had to make some minor revisions, but my understanding is that the contracts that are coming in are roughly in the neighbourhood that we thought they would.

Yukon College Renovations in the amount of \$159,000 agreed to On Yukon College - Equipment

Mr. Byblow: That is nearly half a million dollars. The minister

ought to provide some description.

Hon. Mr. Lang: Once again, as far as equipment is concerned, there is \$144,000 for lab equipment, for the computer management and engineering design course, which is nipping in a lot of money. Tables, chairs, and other equipment for added instructional areas that we discussed earlier, that is \$29,000. There is new equipment and furniture for the resource centre which is \$51,000. Replacement of equipment in trades courses is \$48,000. Replacement of worn equipment in business education courses is \$27,000. The purchase of two additional word processors for business education courses is \$42,000. Upgrading and replacing of worn equipment in food services courses is \$32,000. To upgrade and replace worn equipment in the student services career development centre and the students lounge is \$27,000.

Mr. Byblow: Okay. My first question is whether or not some of that equipment the minister cited is to equip the renovated area. The minister says yes. That would indicate that the renovations to Yukon College this past spring are probably pushing in the magnitude of a million dollars.

Hon. Mr. Lang: Excuse me, I just want to clarify. For the actual tables, chairs and other equipment for the added instructional areas, it is \$29,000.

Mr. Byblow: Is the minister telling me that of the \$400,000 in this line item, only about \$30,000 is for the renovated space, equipment replacement?

Hon. Mr. Lang: That is my understanding. The others are for other designated courses that are already ongoing. For example, the business education course we are putting in two new word processors. That may be revised with the renovations and maybe that course goes over to the new section as opposed to the old section. It is attributed to the total contract. I do not think one should get the impression that it is for two or three specific classes. That is not the case.

Mr. Byblow: Can the minister indicate if the renovations that were done this past year, the ones that are going to be done the next fiscal year, along with the equipment costs for the facility are going to be the conclusion of improvements to that facility? I ask that especially in light of the \$3 million we are appropriating in another line item for the future facility. Is the minister quite confident that we have got that facility in hand until the other one comes on stream, in the general sense?

Hon. Mr. Lang: As far as large amounts of dollars are concerned, I still think you are going to be required to vote some dollars for program revisions and new programs. As far as actual capitalization and changes within the structure itself, that is unforeseen at the present time. I would like to think that it would not happen. I cannot give a guarantee. I believe we have given it our best shot. There have been considerable amounts of dollars spent and we should live within that particular structure for the interim until Yukon College gets well under way and we can utilize some of their premises.

Mr. Byblow: My question was in regard to the facility, not the contents, the programs, or the course requirements. Has the government given any consideration to what is going to happen to that facility once we bring Yukon College on stream? What sort of facility may it become?

Hon. Mr. Lang: That is a tricky question. I would like to hear the ideas the member opposite has.

Yukon College - Equipment in the amount of \$400,000 agreed to On Community Learning Centre Equipment

Mr. Byblow: Again, it is a substantial amount, considering it was not appropriated in past years unless it was hidden in other line items. We have six community centres in Yukon. We must be placing some substantial equipment into them to expend that money.

Hon. Mr. Lang: I do not have the breakdown but basically it is for what is referred to as new community administration programs, which I assume are in the area of business programs and administrative type programs and the requirements as far as the hardware side of it is concerned.

Community Learning Centre Equipment in the amount of \$65,000 agreed.

On Grey Mountain Primary Activity Room

Mr. Byblow: Is this an adjacent facility to the existing school? Can the minister indicate whether a full process of consultation has taken place with the school committee responsible?

Hon. Mr. Lang: I have not had direct conversations with the school committee in question. I do know that there were discussions with the previous minister for an activity room for the particular school. I had carried out that commitment and that is why it is presented here. We will be discussing, from the department's and the school committee's points of view, the details of it and what could be done, where it could be situated, et cetera.

Grey Mountain Primary Activity Room in the amount of \$250,000 agreed to

On G.A. Jeckell Industrial Arts Facility.

G.A. Jeckell Industrial Arts Facility in the amount of \$250,000 agreed to.

On Carcross School Upgrading.

Carcross School Upgrading in the amount of \$25,000 agreed to.

On Robert Service School - Facilities.

Mr. Byblow: This again is a very substantial amount, clearly an important one and a useful one. Can the minister elaborate on the nature of that expansion?

Hon. Mr. Lang: This is going to be the construction of a home economics addition, equipment for the addition, and construction of an industrial arts addition, with the necessary equipment. Also, there will be renovations of a room previously used for home economics for use in business education.

Mr. Byblow: This would appear to me to be a wing containing approximately three rooms; for that to be constructed for \$500,000 is a fairly good price.

Mr. Lang: The minister says that it is two rooms. This, I assume, is to be done in the next construction year. Is it, in all probability, to be ready for use next fall or sometime next winter?

Hon. Mr. Lang: Whenever it is completed. That is the purpose for this vote now so we can do the planning and get the contract out, and try to utilize the summer months for construction purposes.

Robert Service School Facilities in the amount of \$592,000 agreed to

On Elsa School Activity Room

Mr. McDonald: We are happy to see this expenditure in Elsa. It is a reflection of the government's commitment to putting capital expenditures into the community in some sense, I guess, and facilities which will depend on the future vibrance of that community. We should take from that that the government is making certain commitments; at least, I hope we can.

Now, the \$250,000 is a nice round figure for those expenditures. I have in my possession some notes of meetings that were held between department officials and the Elsa school committee, at which time the total budget for this project varies rather considerably from the figures cited in the capital budget. There is a \$41,000 difference between what was suggested would be the costs for construction of this playroom and the figure we now see. The information was given to the Elsa school committee on September 11, 1984, and they were given to believe there would be a limit of \$291,000 for an activity room. I am wondering if the minister could explain that discrepancy? What is happening with the budget here?

Hon. Mr. Lang: We had to allocate dollars. I know that there were some proposals but we have indicated that we are prepared to spend up to a maximum of \$250,000, so there may be some revisions to the proposals put forward by the member opposite and by the people there. The point was that we felt that a quarter million dollars was a substantial amount of money and they should live within those figures. If you were going to build a house you would know what it would cost and you should try to live within those dollars, otherwise you cannot pay the bills. We felt that to get two activity rooms, \$250,000 would enable us to stay within those costs, if planned and done properly.

Mr. McDonald: Of course, the department should once again go to the community to discuss the operations because there were rather specific deliberations regarding the size and the accessories associated, in order to maintain the communications developments that we have seen between the department and these new

developments. In order to maintain that communication, I hope the minister will have his officials go to the school and discuss what can be done to revise the estimates down to \$250,000.

There is no question that the \$250,000, a quarter of a million dollars, is rather significant for this community, especially for a community that has not received anything before in capital expenditures — at least in the immediate past.

There was one other issue regarding the Elsa School, which is of some concern. I am not sure whether or not the minister has heard about this concern but it is, nevertheless, a concern that has been expressed by the Elsa school committee on a number of occasions. That has to do with sewage disposal. The minutes of at least three or four meetings of the Elsa school committee have suggested that there are some considerable problems with the sewage disposal at this time. I was at a recent school committee meeting only last month where the aroma from the sewage tanks wafted over the playground. Obviously, it is of some considerable concern. Can the minister respond to that in some manner, whether or not he has heard about it, whether or not they plan to do anything about it?

Hon. Mr. Lang: I appreciate the member bringing it to my attention.

Elsa School Activity Room in the amount of \$250,000 agreed to
On FH Collins Retrofit

FH Collins Retrofit in the amount of \$100,000 agreed to
On Carcross Library Development

Carcross Library Development in the amount of \$15,000 agreed to

On Library Development

Library Development in the amount of \$30,000 agreed to
On Library Equipment

Library Equipment in the amount of \$20,000 agreed to
On Technical Services Equipment

Technical Services Equipment in the amount of \$7,000 agreed to
On Audio Visual Services Equipment

Audio Visual Services Equipment in the amount of \$12,000 agreed to

On Storage Equipment

Mr. Byblow: Where is this taking place?

Hon. Mr. Lang: It is just a general section. It is basically for shelving and I assume it is for the Grade 11 and Grade 12 area that is called map cabinets, or I am sorry, for the library's map cabinets and other storage equipment. I have to assume that it would be here. I did not ask specifically.

Storage Equipment in the amount of \$10,000 agreed to

On Conversion of Films to Video Format

Conversion of Films to Video Format in the amount of \$10,000 agreed to

On Reference Room

Reference Room in the amount of \$20,000 agreed to

On Conservation Laboratory Equipment

Conservation Laboratory Equipment in the amount of \$10,000 agreed to

On Other 1984-85 Items

Mr. Penikett: It has an item revised estimates. What was covered in that previous estimate? There is nothing new there.

Hon. Mr. Lang: I would have to get the information on that. I just strictly have my notes for the 1985-86 year.

Mr. Byblow: We are going to clear this item, and I have been waiting all afternoon for the minister to give us some details. Perhaps he cannot, because it does not qualify itself into a capital line item. Over the weekend, the minister made a terrific and grand announcement of the potential for certain communities to qualify for school busing.

I recognize that it may or may not fit into a capital component, but I would like to ask the minister a couple of questions about the intention surrounding the department for Carcross or the Tagish area.

Is it the intention of the minister to permit scaling down the tender for other than Diversified Transport to bid on it? Is the department planning to provide a small school bus for the Tagish students, given that the requirements are met, be it a petition or school committee approval?

The minister has not declined to take some credit and we will let him. He has made an excellent move.

Hon. Mr. Lang: I think that the credit goes, for a good part, to the MLA for Hootalinqua who has worked very hard on their behalf. I want to say very clearly, without his support and the obvious work that he put forward on it, I am sure that the decision may have gone the other way. He has brought forward, very clearly, the concerns of those people to meet that need in that particular area.

I want to point out to the member opposite: no, it would be our intention to go with Diversified contracting because time is short, and because of the contract we already have with them. It would be a direct contract with the Government of Yukon Territory, as opposed to a third party. Therefore, it is very clear that the policy is: twelve to twenty-four, at the discretion of the minister, depending on a number of variables being involved. We felt that at this time that it was an appropriate move to make in view of the representation that had been made both to myself and to the work that the MLA for Hootalinqua had done on the situation. Also, the school committee was concerned, along with the principal of the school in question.

Mr. Byblow: The minister has a fine way of putting a damper on opposition efforts. I would like to think that the opposition contributed substantially in the past two years, while the minister was not a minister, in persuading the appropriate decision to be made. I certainly do not take any credit away from the member for Hootalinqua, who may have contributed in his own way toward the decision. But, the minister is completely and totally neglectful when he suggests that the opposition had no contribution in making the decision toward the school from Tagish-Carcross area. We are going to contribute substantially to the decision for the Stewart bus when it eventually comes about as well. I am sure that the member for Mayo is just waiting to have his piece on the subject, as well.

I do have a question. The minister said that Diversified was going to be providing the bus when it goes into operation. I understand, from the press release, that it was going to cost \$9,000. Was that \$9,000 over and above the per diem rate that the parents collect now?

Hon. Mr. Lang: That is the projected cost. I am sorry as I did not come prepared for this particular item, since it was not included in the capital mains. Yes, your assumption is correct. That is what it would cost over and above what our projected costs were for the purposes of subsidy.

From a budgetary point of view, that additional cost would clearly be borne in the O&M of this year's and next year's budget. Perhaps it is outside the parameter of a capital item and I will sit down.

Hon. Mr. Lang: That is correct.

On Recoveries

Recoveries in the amount of nil agreed to

Education, Advanced Education and Manpower in the amount of \$6,137,000 agreed to

On Government Services

Hon. Mr. Lang: I have just a couple of comments so far as the budget of government services is concerned. As all members know government services is a department set up to assist all other departments in their program delivery and to coordinate services where possible to all departments and agencies of the Yukon government. I should point out the \$100,000 that has been asked to be voted is there for miscellaneous and minor projects which covers such items as ground improvements to government buildings, renovations and reallocations of office space, emergency items, systems and computer services. This is an area where \$2,500,000 is being requested this year and I should point out that \$1.5 million was spent last year. There was significant improvement in the program delivery for all departments through computerization.

In supplies and services, there is a requirement for funding of \$300,000 and \$426,000 respectively. That is primarily for the purchasing of furniture, equipment, and to replace pool car vehicles.

Public works is a continuation of the removal of asbestos from

government buildings for health reasons. This will continue for another two years and \$500,000 has been assigned for that. The other projects of public works, on an ongoing basis, are pre-engineering studies required for capital budgets and major repairs and major maintenance of public buildings to extend their useful life is planned for the funding of \$250,000.

On Miscellaneous and Minor Projects

Mr. McDonald: I have a constituency problem, which has been brought to the previous minister's attention. It was brought up in the House and the present minister was there at the time. The issues involve the administration building and I believe that in the summer of 1982, after construction of the project, there was considerable concern expressed by the people working in the building that the building was getting too hot and stuffy and the building shut down for the day quite frequently that particular summer, around two o'clock in the afternoon because public business could no longer be conducted.

Last summer, we had a situation where the weather was more reasonable than in the past. It was cooler and therefore there was not as much need to worry about air-conditioning facilities in the building.

⁶¹ Nevertheless the building did close a number of times this summer, early, because it was too warm to work. I was given some assurance in the community, from the minister for government services, that the problems had all been taken care of, that there would be a manipulation of the controls in the ventilation system, and that this would solve all the problems. I think he was incensed that I felt that was not the solution to the problem. The problems still continue. Experience has borne out my statements as being the correct ones. The manipulation of the ventilation system in the Mayo administration building has not done the trick. There is still a problem there.

Can the minister tell the House if they are planning to do anything to rectify the situation for this rather important government building in this community?

Hon. Mr. Lang: All I know that there was some work done this past summer. It was to correct deficiencies from the results of the construction and the way it was done, and the problems that had been encountered in the construction phase of the building. Whether or not there is going to be further work, I cannot tell you at this time. I do know that this past summer there was a hot water heater added to the mechanical system. Problems with the fire pumper were corrected. There were a number of broken windows that were replaced. There was a new insulated door ordered for the liquor warehouse. The previous minister did make some commitments and they were done. I will have to bring the air conditioning to the department's attention. I do not know that much about it. These deficiencies perhaps have been corrected late in the summer by the company which had been doing them, which is the bonding company, Simcoe Erie of Toronto. I will check and see if there was any work done in this particular area. If it is not working properly, it is of concern to everybody involved because money was paid to have it work properly.

Miscellaneous and Minor Projects in the amount of \$100,000 agreed to.

On Computer Equipment and Systems Development

Computer Equipment and Systems Development in the amount of \$2,500,000 agreed to.

On Furniture and Equipment.

Furniture and Equipment in the amount of \$300,000 agreed to

On Queen's Printer Equipment

Queen's Printer Equipment in the amount of \$36,000 agreed to

On Pooled Road Equipment

Pooled Road Equipment in the amount of \$426,000 agreed to

On Major Maintenance - Public Buildings

Major Maintenance - Public Buildings in the amount of \$250,000 agreed to

On Pre-Engineering Studies

Pre-Engineering Studies in the amount of \$113,000 agreed to

On Asbestos Removal and Re-insulation

Mr. McDonald: What buildings are requiring asbestos removal and re-insulation?

Hon. Mr. Lang: I have the specifics on this, and there are a number buildings that are slotted for this coming year.

⁶² I would have to bring back that information to the member. I believe I have misplaced it. My understanding is that we are basically looking at territorial garages, and if he wants to know site specific, I would have to provide him with the information. I do not have it with me. It is for the territorial garages.

Mr. McDonald: I will wait.

Asbestos Removal and Re-insulation in the amount of \$500,000 agreed to

On Other Items 1984-85

Other Items 1984-85 in the amount of \$580,000 agreed to

On Recoveries

Recoveries in the amount of \$21,000 agreed to

Hon. Mr. Lang: Just prior to clearing, I will give some information to the member opposite. I have just found it. As far as the asbestos program is concerned, asbestos is in the roof of grader stations at Haines Junction, Stewart Crossing, Mayo, Watson Lake, Tuchitua, and the Klondike grader station. In addition, the majority of the work at the Quiet Lake grader station was completed. At the conclusion of this financial year, the highways workshop in the Marwell area will have been completed. The work remaining to be done includes the Liquor Corporation warehouse and the public works building maintenance shop. Minor work will have to be done to complete the grader station at Quiet Lake.

Mr. McDonald: With respect to the removing of the asbestos in the Mayo grader station, I understood that in the last capital year, there had been retrofit done on that particular building. Is this part of the retrofit?

Hon. Mr. Lang: Yes, it is part of the program.

Government Services in the amount of \$4,225,000 agreed to

Mr. Chairman: We shall recess until 7:30 p.m.

Recess

⁶¹ **Mr. Chairman:** I will call Committee to order. We are now on Schedule A, page two.

On Community and Transportation Services

Community and Transportation Services in the amount of \$18,688 agreed to

On Economic Development and Tourism

Economic Development and Tourism in the amount of \$8,239 agreed to

On Education, Advanced Education and Manpower

Education, Advanced Education and Manpower in the amount of \$6,137,000 agreed to

On Government Services

Government Services in the amount of \$4,225,000 agreed to

On Health and Human Resources

Health and Human Resources in the amount of \$2,729,000 agreed to

On Justice

Justice in the amount of \$7,351,000 agreed to

On Renewable Resources

Renewable Resources in the amount of \$838,000 agreed to

On Total

Total in the amount of \$48,207,000 agreed to

On Clause 2

Clause 2 agreed to

On Clause 3

Clause 3 agreed to

Clause 1 agreed to

First Appropriation Act, 1985-1986 agreed to

Hon. Mr. Pearson: I move that you report Bill No. 39.
Motion agreed to

Mr. Chairman: The First Appropriation Act, 1985-1986 is carried out of Committee of the Whole.

We will now move on to the *Fourth Appropriation Act, 1984-85*.

Fourth Appropriation Act, 1984-85

Hon. Mr. Pearson: This bill is to amend the appropriation for the fiscal year 1984-85. This will be the first supplementaries for this particular year and there will be other supplementaries forthcoming. The total appropriation is thereby increased by \$6,505,000.

I would like to refer hon. members to page two of supplementary no. 2 estimates booklet that was provided along with the bill. If we deal with the operation and maintenance section of the supplementary estimates first, I think we can expedite things considerably and it would help to explain things if we separate the O&M from the capital, which is on page three.

⁶³ In respect to the total amount of \$2,591,000 that we are looking for in the supplementary estimates, all of that total is represented by the five percent salary increase for all of the employees of the Government of Yukon. In addition, there is \$25,000 for the Asia Pacific Foundation in vote 2, which is offset by a light decrease in that particular vote. There is \$25,000 for the shipment of fuel oil to Old Crow in vote 9, which is also offset by a light decrease. There is \$331,000 in vote 3, for the French cadre program, which is offset by a 100 percent recoverable item. In essence, what we are looking for here, is a total amount of \$2,591,000, which represents the five percent salary increase for all employees.

In respect to the capital estimates, which are some considerable amount bigger, we are looking for \$6,067,000. There are capital requirements in Community and Transportation Services, Economic Development and Tourism, Education, Advanced Education and Manpower, Government Services, and in Justice. I would respectfully submit that the ministers responsible for these departments will be able to answer any of the detailed questions that members might have.

⁶⁴ **Mr. McDonald:** I understand that we do debate this very little as a matter of course. There may be a few areas where we would like to discuss O&M issues and we will try and be selective about those. There are also the considerable capital expenditures, which are outlined on page three. We have also been through, to a certain extent, some of those issues in the capital mains that we have voted already for the following year. The government leader mentioned that the increased O&M costs were reflected in an increase of five percent in the public servants' pay. Going through the estimates, I understand that the only public servants who are not going to receive the five percent are teachers. Have they been given some sort of increase already? Can you explain it, please?

Hon. Mr. Pearson: I am sorry. I should have reiterated that. I mentioned it in my second reading speech on this particular bill. The \$2,591,000 represents five percent for all government employees except for school teachers. You will recall that I did say that there would be another supplementary. There is bound to be another supplementary in the spring for this particular year because, at this point in time, we simply do not know what to put in the estimates for the teachers. At the present time, the teachers are in negotiations. They have not been resolved yet and, of course, we do not have any idea right now. With respect to everyone else the issue has been joined and has been resolved. The only outstanding employees now are the teachers.

⁶⁵ **Mr. McDonald:** There is one other group of public servants who really have not settled their pay situation yet and those are the members of this House. As I understand it, the issue will be resolved to a certain extent, one way or another in committee sometime this week. Perhaps, the government leader would like to elaborate.

Hon. Mr. Pearson: I do not think that it was at all presumptuous of me. I have included five percent for members of this Legislature in vote one. I thought that it was right proper that I do so.

On Yukon Legislative Assembly

Mr. McDonald: I realize that we had agreed to send this issue to the Rules, Elections and Privileges Committee, for some sort of consideration at that stage. As the government leader will recall, last spring, we made our statement regarding MLA pay for the

fiscal year 1984.

Hon. Mr. Pearson: If I may interrupt, I thought I made it clear to the member. I am quite aware of the fact that the bill is in the sub-committee. This money is here and if it is not spent for any reason it will not be spent. It will end up being a lapse in balance. I do not believe that we should debate the salary increases for MLAs in this House tonight. If the member opposite wishes to do so, then I will be happy to do so. But, I do not think that we should do that.

⁶⁶ **Mr. McDonald:** The leader of the opposition has informed me that the rules suggest that one matter which has been referred to in another committee ought not to be addressed in this committee. I will take his word for it, obviously. As far as our position on pay increases is concerned, I would be happy to debate those with anybody on the other side, anybody who wishes to go to the Rules, Elections and Privileges Committee.

On Yukon Legislative Assembly

Yukon Legislative Assembly in the amount of \$48,000 agreed to On Executive Council Office

Mr. Penikett: I would not mind a brief explanation from the minister responsible about the \$95,000.

Hon. Mr. Pearson: I regret the leader of the opposition was not here in internal debate. I guess probably I should go through it again. There are members coming into the House. Of the total of \$2,591,000 that we are voting in supplementary estimates for Operation and Maintenance, all of it represents the five percent increase for all employees in the government, except teachers. In addition, there is \$25,000 for the Asia Pacific Foundation, which is offset. There is \$25,000 for the shipment of fuel oil to Old Crow in vote 9, which is offset. There is \$331,000 for the French cadre program in vote 3, which is 100 percent recoverable. In essence, what we have here, is \$2,591,000 that we are voting for salaries.

Mr. Penikett: That is all I wanted to know.

Executive Council Office in the amount of \$95,000 agreed to On Department of Community and Transportation Services

Mr. Chairman: Mr. Pearson suggested that we go through the Operation and Maintenance first, and then return to the capital. *Community and Transportation Services in the amount of \$567,000 agreed to*

Mr. McDonald: On a procedural point, have we discussed the Asia Pacific Foundation grant? I am not familiar with that vote. I was prepared to ask questions. I must have missed something. I wanted to get some explanation as to the reasons for the Asia Pacific Foundation grant, and I guess I have missed it, as you have passed over it. Would it be possible to return to it?

Mr. Chairman: Yes.

Mr. McDonald: I would just like an explanation of what the money is to be expended for and why is it specifically \$25,000? When does this foundation meet? What are their terms of reference and priorities?

Hon. Mr. Pearson: I am kind of surprised at the questions because I was under the impression that if there was nothing else that the members of the opposition did read, they did read our press releases.

⁶⁷ There was a rather a long, extensive press release on this particular issue. The Asia Pacific Foundation is an organization that was put together by the Government of Canada, specifically External Affairs. The moving light in the Asia Pacific Foundation is John Bruk, the former president of Cyprus Anvil Mines. The Government of Yukon is a charter member, along with the governments of BC, Alberta, Saskatchewan, Manitoba, Ontario, and a large number of organizations. The Government of Canada has undertaken to endow the foundation with \$200,000 a year for the first five years. The provincial input has been what they thought they should put into it and there were no set fees. We seriously considered it and figured that probably if we undertook to contribute a dollar per person based on our population, or \$25,000 a year for the next five years. We put that to the foundation and they said that they thought that was very fair. We were thereby entitled to one person representing this territory on the board of directors of the Yukon foundation.

About three weeks ago, Mr. Rolf Hougen, our nominee, was sworn onto the Board of Directors of the Asia Pacific Foundation.

We anticipate that this is going to be beneficial for the territory, particularly in light of the fact that we are a Pacific Rim trading territory, and the Asian markets are very much coming into the fore in this part of Canada now. This Asia Pacific Foundation is deemed to be the spokespeople for Canada in respect to that trading market. We think it is going to be a very, very good investment.

Mr. Porter: As I understand, the real intent of the Asia Pacific Foundation is to encourage increased trade between countries like Canada, and provincial and territorial governments within those countries, with countries in the Pacific like Japan. As we look at Yukon, we look at the history of Yukon in respect to the mining development, primarily, where there has been trade established. Japan has been one of the major markets for the Cyprus Anvil concentrate, for example.

Mr. Porter: Another area obviously is tourism. Now one area we see developing rather hastily in the last couple of years, since the recession has hit in the Province of British Columbia, has been the exportation of raw timber. Would this government be amenable to discussing, with countries like Japan, the exportation of raw timber, which has been marked as a merchantable resource for the future of Yukon?

Hon. Mr. Pearson: It is a very, very good question. We thought for a little while last fall that we may be faced with that very problem in the near future because of no being decision taken with respect to opening up the transportation corridor to tidewater. I think the deal to export raw timber has been set on the backburner for the time being. I believe that the Government of British Columbia has just made a policy decision that they are not going to export raw timber. They will only export cut lumber. They would like to process all of the lumber — if it is a case of making plywood they want to make the plywood in British Columbia. Of course, they have the mills to do that.

It is very difficult to answer the question right now and I guess in the final analysis it would have to be a decision of the Government of Canada because the timber resource is theirs. We do not have that responsibility yet. I am sure they would ask us, though, for an opinion, and it would have to be a very, very tough decision. It would be very nice, I think, to say "No, we are not going to get into the business of exporting raw timber but we will export all of the lumber that you want to buy from us." I think that would be the most desirable situation.

Executive Council Office in the amount of \$95,000 agreed to On Community and Transportation Services

Mr. McDonald: You will note on page nine that the figure given for personnel, \$529,000, does not represent a five percent increase in personnel costs. I wonder if the minister would mind explaining that anomaly. My reading of five percent of \$14,214,000 is \$710,000.

Hon. Mr. Lang: I have been informed by the government leader that it is because of a fewer number of people involved with the department and with the reorganization.

Hon. Mr. Pearson: We may find some excuse simply because of the reorganization. What has happened is that supplementaries represent the reorganization and the actual allocation to those departments as they are reorganized, now.

Mr. McDonald: I would like a brief review this evening of the increased personnel cost from various departments and this was the only one where I found a difference. Is this the only one that has been affected to date?

Hon. Mr. Pearson: That could well be. For instance, the Department of Highways, or the highways branch, is part of this department and, in the summertime, as the member for Mayo knows well, we have a tremendous number more employees on staff. The difference may well be represented there because not all of those employees, of course, get the five percent increase. The casuals who are gone just simply do not get it.

Mr. McDonald: There are a couple of minor issues which people in my riding have asked me to bring up and this is the only vehicle I can detect to bring them up in.

The two issues have to do with the notification of assessments that are carried on, I believe, every two years on sort of an around-the-territory basis. The concerns expressed by a wide

number of people is that they do not receive any notification that the assessors are going to come onto their property or come into the district to assess their houses. There is an actual feeling that they would like to be present, if at all possible, or would at least like to know when the assessors are approaching their property, or when they will be in the area. Has the government got a policy as to the notification of community residents in rural areas of the intentions of the assessor to come in and assess the properties, rural and urban, in the districts?

Hon. Mr. Lang: My understanding is that it is similar to the way they do it in the City of Whitehorse or Mayo or whatever community. The community is notified that the assessors will be in the neighbourhood over a period of time and then they do it door-to-door. If somebody was not there, they leave a note and, perhaps, come back at another time. I think that they do the best that they can with the various vehicles they have. I gather in the past that if they notify too far in advance, nobody wants to talk to them. It is a fine juggling act to accommodate the principles of their job and make sure that the people know that they are there. I want to assure the members opposite that the assessors are not doing any breakings and enterings. They do their best to accommodate people by saying they will come back at another time or whatever. It is done on a pretty courteous basis, the way I understand it.

Mr. McDonald: Nobody, of course, wants to bash the bearers of bad news and nobody likes to tackle the procedure of the tax collector. That is not to say that legislators should allow these people to have no defense. Obviously, they are carrying out the will of the Legislature and the local government.

Perhaps, the concerns I have are anomalies rather than the rule. I can bring those situations to the attention of the minister.

Mr. McDonald: One other area that I would like to ask the minister about is the area of delinquent taxes. When an L.I.D. is about to become a village, as I understand it, that village is then responsible to pay all taxes, including taxes which may be delinquent. This is a considerable burden for a community of small size. I understand that in Mayo's case this could be in the neighbourhood of about \$5,000. That is the legacy that they have inherited over the government's administration of the community. We can expect, surely, that that sort of thing will not continue. Is there any policy regarding support for communities where delinquent taxes may be abnormally high, or where they may have a shortfall of income and may have to curtail operations because of the number of delinquent taxpayers, or the delinquency of some major taxpayers?

Hon. Mr. Lang: It is a question that was addressed between communities, especially those that just became incorporated over the past year. The agreement was very clear. Two years previous to incorporation, those taxes that were collected by the municipality would be presented to the Government of the Yukon Territory. Anything prior to that would be remitted directly to the municipality, and we would forego those taxes. It initially had been intended for the coffers of the Government of the Yukon Territory. My discussions with the elected people and their administrations in these communities was that they were perfectly agreeable. They felt that we had been fair, and that we could not have been fairer in trying to come to some understanding in respect to the collection of these bills.

I should point out that if they do not collect the bills, then they are out the money. It is in their best interest to collect these dollars, because they do get a significant amount of dollars, depending on the community that you are talking about. There is a letter that I signed on behalf of the Government of the Yukon Territory outlining the terms and conditions, and they have been accepted by all municipalities.

Mr. McDonald: I am aware of the letter that the minister had signed, and I am aware that the communities have signed them. For the minister's information, the concerns that I have had expressed to me come from the same elected people who are now realizing that this burden of \$5,000 is going to be a significant one. As I understand it, the procedure to collect these funds over a period of time requires a three year process whereby they can then acquire title to the property if there has been a failure to collect taxes. Nevertheless, it means a shortfall in income, and in some cases a

considerable one. For a community like Mayo, \$5,000 is rather large. In cases where this figure is abnormally high, is there any relief that the communities can get to make up the shortfall?

Hon. Mr. Lang: It strikes me that maybe the member is off on a tangent by himself because, with all the municipalities and the incorporations, there were certain considerations given, and it was agreed to between the two parties. In effect, there was a contract signed between the two parties. We had increased the financial contribution to the communities, and the capital side of the budget as far as replacement of equipment was concerned. I do not see the cause for concern here. There were certain undertakings and we have indicated that there is a due process. If people do not pay their taxes, the municipality can take certain actions and rightly so. If those people are not paying their taxes, other people have to pay their taxes plus a little bit more to offset those taxes that are not going into the municipal coffers. Everybody pays their fair share. Then it is called equity throughout the community. I feel that I went in there to make an arrangement, the arrangement was made and, to date, those people are quite comfortable with the arrangements that both parties agreed to.

Mr. McDonald: I understand the point that the minister is making. The agreement was signed. As far as people being happy with it after it was signed, I am merely relaying a beef of the people in Mayo. It is nothing more significant than that. What the minister wants to do with that is up to him. If he feels that the agreement signed to date is the final word, then that is his position and it is public record.

I understand that government holds a number of empty lots upon which it does not pay tax. In Mayo's case, I believe, there are 22 empty lots. Because the community feels that they have to provide a certain level of service past these vacant lots, what is the position of the government on this situation?

Hon. Mr. Lang: On the first point, I would like to point out that the mayor of Mayo called me with respect to the problem outlined by the member opposite. I had had no notice of any kind as to a problem outstanding as far as that agreement is concerned. If he speaks to me and I feel it is legitimate, I am prepared to speak to him about it. I have laid out our policy position so far that I feel that we have made a fair arrangement.

On the second point, if we had concurred to do that in Mayo — I might point out that in the community of Whitehorse there are about 600 lots outstanding — that would mean a significant amount of dollars if we were to start paying assessed value on that land. The land that has been developed at the request of the municipality — in Mayo's case those lots were requested to be developed — has been done by us as the senior level of government. The City of Whitehorse is an example as well as other municipalities where we have an excess of land. The point is, how far do we go, as elected members, to saying that we are prepared to pay you, the junior levels of government, basically, in some cases, where there is no maintenance required at all?

¹² We do transfer a substantial amount of money — every elected MLA in this House is responsible for scrutinizing those dollars — to the various municipalities throughout the territory. It is a significant amount of money — multi-millions of dollars. I just want to say for the record that I think we are being as fair as we possibly can in respect to the transfer of dollars to the municipalities through the method we refer to as 'grant in lieu of taxes' and also in the straight grants that we provide to municipalities. So the answer to the question is that I recognize he is bringing representation from the community. I think I have to be fairly outspoken on this. The answer is 'no.'

Mr. McDonald: I am happy to see that the minister regards questioning in the House about municipal matters, as they affect the government, as an legitimate exercise. If the minister has adequate answers, then so be it. Then his answers are something we all will accept. I am passing on community problems and that is what I think the minister is going to have to accept as being my responsibility. The minister has asked me if I accept his answers. As far as I am aware, I am perfectly prepared to accept his answers as being government's position. The government's position may be justifiable under the circumstances. There is nothing illegitimate

about that. But the exercise of scrutinizing these things should not be as confrontational as government assumes they will be. I am passing on concerns. If the government wishes to address those concerns, that is their business. I am also happy that the government has chosen to accept that the scrutinizing of expenditures within a member's district as being a legitimate exercise. So the minister will understand that when I scrutinize such expenditures such as the Elsa primary school and various other things, it is a legitimate exercise and the minister responsible will not get too excited about it.

I have another constituency question which involves the ploughing of organized communities. Can the minister give me any indication as to what the government's policy is, or the highway policy is, of ploughing the streets of unorganized communities, such as Keno for example?

Hon. Mr. Lang: I guess it has to depend on the situation. I would have to take notice on the question to the member and will get a reply back to him. I will make sure that it is a legitimate reply and not an illegitimate reply.

Mr. McDonald: I am happy that the reply will be a legitimate one. I hope it is also an honest one and I hope that the minister will take the trouble to provide me with an indication of what the government's policy is regarding unorganized communities, in general, like Keno. That is the kind of information I am interested in receiving.

¹³ **Mr. Porter:** Seeing that this area has been opened up to debate and I have a question on government services with respect to unorganized communities, I would like to address a question to the minister regarding the community of Ross River. In that particular community, there has been a right-of-way reportedly surveyed to extend the current street system in Ross River. One of the individuals in the community does not have access to that road right-of-way. The individual has to cross private property of other interests to reach his property. I would like to ask the minister: in those communities where the Government of Yukon has to provide those services, does the government view is as a responsibility to construct the necessary road rights-of-way?

Hon. Mr. Lang: The Department of Community and Transportation Services is noted throughout the territory for taking into account the wishes of the people in the various communities when it comes into the question of road readiness. I do not know specifically of the road right-of-way that the member speaks of, but I am positive that that particular subject was raised with the community at large, where possible, and obviously taken to the individuals directed affected by the situation the member has pointed out. I would submit to you that we do not intentionally go in and redirect the building of roads, just for the purpose of doing them. If the member opposite has a specific road in mind, and he wishes to come and see me privately about it, I am confident we can provide him with the answers. If he wishes to discuss it further in the House, he is going to have to name the street, the direction that it is going, and the owners in front of the property, so that I can respond accordingly to him. I would just like to say that I feel actually quite comfortable that the member opposite has raised this in the House with me today, because with all the knowledge that I have, I cannot provide the member with the answers to all his questions. I just want to assure him that I am on his side.

Mr. Porter: That is the reason why I did not ask the member for details, because I knew he could not provide the details, and rather restricted my question to a question of policy. I am in the process of sorting out the details with the director of lands for his department.

I have a question in regards to Operation and Maintenance expenditures as indicated here on the Yukon Housing Corporation deficit. I would like to ask the minister if the \$38,000 reflected in the votes are attributed to the increased costs with respect to salaries?

¹⁴ **Hon. Mr. Lang:** That is right.

Mr. Porter: Then, I would like to ask why, in this particular line item, it is indicated as a deficit when in other line items there is no such category?

Hon. Mr. Pearson: We have a very unique situation in respect

to the Yukon Housing Corporation and we must show it this way. The salaries are reflected as a deficit that we pick up in Yukon Housing Corporation. It is because of its financial situation with the Government of Yukon, because it is a corporation.

Mr. Porter: I have a question with respect to the shipment of fuel to the community of Old Crow. Earlier, in respect to the remarks made by the government leader, he stated that the \$25,000 was offsetting. Does that mean that the federal government or someone else has paid the \$25,000 to the Yukon government? Can he explain what he means by offsetting?

Hon. Mr. Lang: That was our contribution. The \$25,000 was found within other areas of the department and such authority was then deleted and then shown as an expenditure.

Community and Transportation Services in the amount of \$567,000 agreed to

On Economic Development and Tourism

Economic Development and Tourism in the amount of \$105,000 agreed to

On Education, Advanced Education and Manpower

Education, Advanced Education and Manpower in the amount of \$757,000 agreed to

On Finance

Finance in the amount of \$84,000 agreed to

On Government Services

Government Services in the amount of \$232,000 agreed to

On Health and Human Resources

Mr. McDonald: There is a constituency issue I would like the minister to address if possible. There has been, in recent months, a case that has been brought before me which involves the cancer rates in this particular community. There was a feeling by some parents that the cancer rates were abnormally high. In my search with the federal authorities as to the reasons as to why this might be the case, they suggested that the first step in pursuing the matter would be to identify cancer statistics. They felt that was a territorial jurisdiction. They mentioned that the territorial government did not correlate the incidents of cancer. They correlated the incidents of what I believe is called the morbidity rate.

Can the minister tell the Legislature to what extent statistics of this nature are collected so that in the event that one would want to try to identify a high incidence of cancer one would be able to understand the nature of a problem in a particular community. Is there a procedure? Is there an effort to compile this kind of information within this government?

Hon. Mr. Philipsen: If the member would be so kind as to tell me what community he is talking about, I am sure that if there was any degree or rate that is higher than any other community, the department would be very anxious to know about it and would be collecting that information. Prior to this date, I have not heard anything before this moment about a particular community that is having this problem. I appreciate that knowledge.

Mr. McDonald: That is part of the problem because the community I happen to be referring to is the community of Mayo. But it is impossible to identify if there is a problem there because, when people acquire cancer, they leave the territory to have the cancer treated. Because the incidence of cancer is not reported by the government, according to the federal authorities, it is impossible to identify if there is a problem in the territory let alone identifying a problem within the community of Mayo. I am asking the minister if he would be willing to undertake to investigate the issue and discover whether this kind of statistical evidence can be collated and provided for public consumption.

Hon. Mr. Philipsen: One of the first things the member opposite should be aware of is that anyone going outside goes through a committee. That committee keeps records of that travel. Any of these types of records are kept by the hospital and I am sure any alarming incidence of any type in any community would be investigated.

Mr. Penikett: That is not my understanding. I know, from having discussed this with professionals, there is considerable difficulty in identifying anomalies such as this because the data has not, up to this point, been kept in such a way that the figures leap out at you.

The last time we discussed this, at a long budgetary discussion, the minister will recall I raised some questions about the keeping of certain kinds of statistics. The minister was kind enough to respond that he would be looking at improving some statistics on a community basis and I think that is highly commendable. Let me just cite as a comparison: the BC government, I believe the department of health rather than that of labour — and I am not absolutely certain of this — became concerned about the level of certain kinds of illnesses in Cassiar, BC. They began to establish a registry of former asbestos workers from that community to do a periodic check. Again, I do not remember exactly. It may have been five-year checks of those people. The incubation period for certain kinds of asbestos illnesses, including asbestosis and certain aspects of cancer, may be anything from 10 to 20 years.

I can only assume that they are still doing that. When they first established a registry, it was quite an innovative kind of thing. You can understand with the turnover that it once was, at a mine like that, it is a fairly — I suppose not so much with computers — lengthy list of people, in the thousands, that have been through there at one time or another.

Nothing like that very useful public health measure has been done in Yukon nor has there been a call to do anything like it in Yukon. That was triggered originally by some statistical information that was in the public record about certain kinds of incidents, illnesses, health problems coming there. As I understand — perhaps the minister could take this as representation — the situation is such that those statistics are not presented in such a form in Yukon right now that they do leap out at you. You might have certain data about cancers but not only for the reason that people get sent out to be treated. Some people may move out voluntarily, when they get certain kinds of illnesses, because the specialist treatment is not available here. It may also be that while the figure on the Yukon, territory-wide, may be a little alarming or cause some concern — especially when you look at the demographics of the territory — I understand there is no quick and easy way to identify whether there is a particular problem in a particular community.

Hon. Mr. Philipsen: I thank the leader of the opposition for the information that he has just given us. There is one individual who looks at all medical travel, and that is the chief medical officer of the Yukon who is over in the hospital. We also have regional health officers who work out of the hospital. I will bring the matter to them, but I feel fairly confident in saying that, if there was an alarming rate of a particular type of cancer, or any other type of disease or incidence of disease in the territory, that they would see those statistics, know about them, and make us aware.

Mr. Penikett: I find that reassuring, but I would appreciate the minister taking a look at it. I think we may have had an unusual situation because of the character of this community and because of the lack of a specialist facility here. I do know that a few years ago there was a pattern in the case of silicotics. The person, in order to be petitioned to work underground, had to pass a medical periodically. I cannot remember if it was every year or more than that. They had to pass it at the Edmonton Chamber of Mines. If they failed the medical some year and could not come back to the mines they often did other work, but they may not have come back to Yukon. I am not suggesting that there is an exact analogy here. You can have problems that might not show up here in our statistics and in our records immediately.

Hon. Mr. Philipsen: I will look into this. I do not want to stretch this debate over a long period of time. We are looking at two different situations. The people we are talking about who come into the territory through the Edmonton Chamber of Mines, have been hired for the mining industry from communities outside. They could not get jobs in Yukon by going to the mines and getting the job. In Cassiar that was the case. The incidence of asbestosis was delineated somewhere in Quebec and in Newfoundland and from those types of studies and the things that happened, the federal government would naturally look at all the other asbestos mines in the country to ensure that incidents of asbestosis were not continuing and that people were dealing in the industry in a proper manner, alleviating the possibility of this to the greatest extent.

The condition that you are talking about, which is known also as

black lung, has been known for many years. Actually when you are working in an industry where something like this exists, you should check it because you know there is a possibility that a person working underground, or in a coal mine, or an asbestos mine, could suffer risks. We are talking about a town which is a normal town, and is not really a town you could equate as either a mining town or a town where people have come into from outside to work at and leave again. I would think that in a community like that, whether it is Haines Junction or Watson Lake, showed an abnormal incidence of any particular type of cancer or other disease, it would be picked up very quickly. I will look into it, and I will bring the information back. I would like to assure the House that I am quite confident that we would know right here, very quickly, if there was something untowards happening in any community.

Mr. Penikett: I will the discussion. I appreciate the undertaking of the minister, just let me mention to the minister that there are various reasons in the public health field why you may have a particular ailment turn up in a community where there is an infectious disease, or something must more insidious, like cancer. It does not have to be an industrial-related thing. There are some areas in northern Saskatchewan where the ground is so hot that there is a subsurface radiation that is literally dangerous. There were some problems in Elliot Lake a while back. The other point about statistics, that our population is so small, and the population in some of the communities is so small, it is very hard to know what the statistics mean, because of the small base. I was doing some reading recently, about an area in northern England near a nuclear power plant, where there is some alarm being raised about the waste water problems and the effect on health. Even though they know the incidence of cancer is high in the area, there is a great debate about cause and effect. The people who are involved in the plant do not believe there is a relationship, and others do. I accept what the minister says that sometimes in the Yukon the population in communities is so small that you do not know if the statistics even mean anything.

Mr. McDonald: I do not want to belabor this point either. For the minister's information, I would just like to make him aware that federal authorities have, at my request, attempted to gather statistics to determine the incidence rate of cancer. They found that the Yukon government only collects the mortality rate of the numbers that actually died in the Yukon as a result. The only thing that they could determine from that was that the mortality rate had not increased. It still does not indicate the incidence rate. It does not break it down community by community. The federal officials did suggest to me that they are trying to help the Yukon government develop a useful reporting system, but that the difficulties were compounded by the transient nature of the population. They found that, generally speaking, treatment for cancer does take place outside the Yukon as a matter of course. I am sure the minister will agree that the statistical analysis should not be restricted to, or confined to, alarm signals, which may go off in the subconscious of the chief medical officer.

¹⁸ There ought to be something a little more secure than that. The problem, as the opposition leader stated it, is that essentially the problem that some people perceive to be the case in Mayo, and perhaps, there is natural radiation in the soil. Perhaps, there are carcinogens. Perhaps, there are none of those things, but I think that to put people's minds at rest that if the statistical data were collected we would be able to pinpoint and determine immediately whether or not there was a high incidence of cancer and we could then direct the Department of Environment officials to study the various possibilities which may cause the cancer rate to be abnormally high.

That is just a matter of information. I would hope that the ministers do try to develop a reasonable reporting system for cancer because this issue may have taken up to ten minutes of our time but it is very, very serious because of some people whose children have cancer at the moment. They really do feel that cancer is caused by local conditions. Therefore, I think that it is incumbent upon the government and incumbent on all of us to try to develop at least a reporting system which would try to determine whether or not there ought to be enlarged studies going on. That is essentially the reason

why it is being put before the Legislature today and why it has taken 10 minutes of our time.

Hon. Mr. Philippsen: Once again, I thank the members opposite for the information that they have brought forward and I will discuss the matter with the people in the hospital and see whether those facts are available.

Mr. Porter: I would like to ask the minister if he could very briefly outline his government's policy with respect to medical emergency evacuation?

Hon. Mr. Philippsen: Emergency medical evacuation would go through the hospital if the doctor asks for someone to go outside. If it is cleared through the hospital, then the person is evacuated. It is a fairly simple procedure and it seems to be working very well.

Mr. Porter: In terms of facilitating a much more expedient process in terms of evacuating patients that need evacuating, does the Government of Yukon have a contractual relationship with Canadian Pacific Air to reserve seats for that purpose?

Hon. Mr. Philippsen: We have not entered into a contract with Canadian Pacific but if a person were sick in Beaver Creek or Watson Lake or Mayo and a doctor in that area asked for emergency transfer to Whitehorse, that would happen. Once the person got to Whitehorse and the person had to be flown out of here, the doctor here would establish that, would phone CP Air and would set aside whatever number of seats were needed and the person would fly out on CP Air. If it were a matter of a child who needed immediate evacuation, then a phone call would be made to the prenatal unit, and an airplane would come up immediately from Edmonton and the person would be evacuated. It works very quickly and very well.

¹⁹ **Mr. Porter:** The reason I raise the subject is because a constituent of mine had to go through the process and this particular constituent was in a great deal of pain and eventually had to be evacuated to Vancouver for a further operation. One of the hold-ups in evacuating the person was that all the seats at CP Air were booked and she could not be evacuated for that reason. Now there are, presently in the territory, mining companies who have a contractual relationship with CP Air to reserve a certain number of seats, and I just would think it probably would be advisable for the Government of Yukon to at least investigate a similar relationship to be able to provide for the evacuation of patients from Whitehorse to other centres for further treatment.

Hon. Mr. Philippsen: Just before that incident there was a child sick in Dawson who was brought into town and the doctor here said it was a life-threatening situation. An airplane was chartered at an expense to the taxpayers of this territory. The charter arrived and the child was evacuated immediately to Vancouver. Obviously, in the situation you are discussing, the doctor who was in charge and the chief medical officer, aside from anyone in the Legislature who had anything to do with this, made the medical decision that this was not a life-threatening situation and that a person could wait to go out when room was available. If a decision had been made by the doctors that it was life-threatening, then a charter would have been hired and the person would have gone out.

Mr. Porter: In terms of the aspect of life-threatening, I think that society in general would expect any government to act immediately and utilize alternate resources to try to save that life. There are some instances where it is not so clear-cut. We may have a situation where a person is not evacuated and is held in the hospital for X months or days and there are further complications that set in as a result of the injury that could have been averted had that person been immediately transferred to a centre with more technology than that available in the territory. Will the minister have someone in his department review this procedure and would they review the procedure with the view to establishing some sort of contract relationship with the air carrier to reserve seats in the future should they be needed for medical purposes?

Hon. Mr. Philippsen: If the member opposite would support this, I suppose we could probably go to one of the carriers and ask them to bring back an airplane which we could have standing by at all times, which would be able to be pressurized at 35,000 feet or whatever. If a person presents problem with head injuries or eye injuries, it has to be a stable environment and a stable atmosphere.

Other than that we would have to go with the air carrier now available to us and that air carrier has indicated that if there is a life-threatening situation, and a person has to be in a stable atmosphere, they will endeavour to get that person on the airplane. At the present time, they are the only people who have that type of service available to us and that is the best we can do.

Mr. Porter: I will close debate on this issue, because we are not getting anywhere with the minister. I do not know why the minister is suddenly becoming facetious on the issue. I just think that it is a very clear area that can be negotiated with the responsible company, accompanied by a responsible government. Will the minister review the situation and see about possibilities. We are not asking that an aircraft be delivered and sitting on the airport at all times. Clearly, given the kind of fiscal management that this government obtains, they would not be able to support that kind of financial responsibility. Could the minister just answer the question as to whether or not there is the faintest hope of possibility that someone in his department can conduct a review of that particular policy with regard to establishing a contract with the airlines. If he cannot do it, then fine, say so.

Hon. Mr. Philipsen: Far from being facetious in my last answer, it was factual. It was absolutely factual and the member should be aware of it. Everything I told you is exactly as it is. There was a company in town that was going to supply that service to us using a Cheyenne, that was able to fly, pressurized, at 35,000 feet. They were not able to keep the airplane here. The only people who have that airplane and have those kind of facilities available to us are CP Air and PWA. To the best of my knowledge PWA will not take anyone and will not take the seats and block them out for any reason, and does not want the business of hauling people who are in need of being hauled out on medical evacuations. CPA will, if it is life-threatening, take an area out of the airplane and set it aside, and have the person removed. If the doctors are not prepared to say it is life-threatening, then they will have to be put on the airplane if the room is available. If it is life-threatening, and we cannot get them on CPA, we call outside and have a Lear jet run in here, and have the people evacuated. I do not know what more I can tell the people in the opposition. I am not trying to be facetious. I am trying to be factual. We cannot afford, through this government, to have an airplane sitting at the airport all the time for that emergency. We do call for one whenever it is needed. If it is life-threatening, and if the doctor says it is life-threatening, then we will get the people up. We have a good record of doing that.

Mr. Porter: I thank the minister for his answers.

Mr. Byblow: I have a question of a constituency sort for the minister. You must be aware that the situation in my community is considerably different in the last few weeks than it was two or three months ago, from a social services point of view. The minister must also be aware that the caseload on the social welfare office has increased dramatically in the last couple of weeks.

²¹ I guess what I would like to ask is whether or not his department is taking any steps to address the special situation in Faro?

Hon. Mr. Philipsen: To the best of my knowledge the situation in Faro has not gotten to the point where it is not manageable. If that has happened, I would like to know about it.

Mr. Byblow: Perhaps the minister can enlighten me in the process. It is my understanding that there is a considerable increase in the number of requests for assistance from his branch, as well. My understanding is also that the dramatic increase that I referred to is in the magnitude of two or three a day, which is significantly more than one per month that was there previously. Given that sort of change in demand on the branch, what steps might the department ordinarily take in that circumstance, and, secondly, does this government have any policy dealing with the special situation in Faro?

Hon. Mr. Philipsen: As I said before, I am not aware of any particular overload in the Faro area. I have not been made aware of anyone who has either been denied assistance or is suffering as a result of having to wait a great amount of time to talk to a worker in that area. Should the eventuality happen, I would imagine that the northern supervisor would go into that area to assist and if it became critical, they would get in touch with the deputy minister or

the director of the department.

As to the other question, about making special arrangements for the people in that area, there is nothing out of the ordinary as they would qualify for social assistance the same as anyone else. To that end, I cannot think of anything that has happened. Nothing has become glaringly obvious. If the member knows of anybody having a problem, I would appreciate knowing about it and I will look into it.

Mr. Byblow: By way of notice, I would advise the minister that we are clearly stepping into a situation that may call for some extraordinary demands on his branch. My awareness is through a situation with respect to individual families. I certainly am not going to raise them here in the House. I will come to the minister if I feel that there is a particular problem. I do tell the minister that more information has come from the community this weekend, and that we are clearly facing some extraordinary demands. It may escalate dramatically in the coming weeks, should there not be any development on the economic front.

²² **Hon. Mr. Philipsen:** Naturally, we, on this side of the House, are very aware of the problems that are faced in the Faro area. I might add that the people in the Department of Human Resources are also very aware of the area and should there be any problems of some proportion or anything critical, I am sure that we could mobilize very quickly.

Health and Human Resources in the amount of \$256,000 agreed to

On Justice

Mrs. Joe: I have a couple of question that I would like to ask the minister responsible for justice, in terms of legal aid. Each year the legal aid budget has gone over what the government had budgeted for, and last year the budget was lower than the year before. I would like to ask the minister if he could let me know whether he feels the new system, at this point in time, is working?

Hon. Mr. Philipsen: I believe that the new system is working.

Mrs. Joe: He said that he thought it was. I was wanting something a little bit more specific in terms of whether it was on budget or not, or whether there were cases that over-exceeded the dollars that were expected to be paid to some lawyers for legal aid.

Hon. Mr. Philipsen: That is a fairly difficult question at this time. As you know, a legal aid board will be set up. There are eight members on that board. Four members are appointed by the territorial government, three members are appointed by the Law Society and one member by the federal government. At this time, the territorial government have their appointees on the board. The Law Society have given the names of theirs and we are waiting for the federal government to give the name of theirs. Those people will be making the decisions on the amounts of legal aid to be paid and the amounts that they are in control of. Until the board is formed and they give me their first report, I cannot give you a better answer.

Legal aid is working all right. People have not been complaining to me about a lack of money to conduct legal aid.

Mrs. Joe: I had a chance to watch the court in Mayo and Dawson over the summer and I noticed that YTG had a lawyer who was prosecuting under some territorial acts. I understood that the government had been planning to do something like that, and I wonder if the department had hired some new lawyers, or are they using lawyers who are on staff? The other thing I would like to know is the amount of money that may have been set aside to pay those lawyers' per diem expenses for the days they spend on the court circuit. Is the money they are being paid money we will not see in the supplementaries, or is it already included in the spring budget?

²³ **Hon. Mr. Philipsen:** The government has hired three lawyers. Those lawyers are paid salaries and their per diem is set out in legislation and their expenses are set out in legislation.

Mrs. Joe: I was wondering how much money the department had set aside for travelling expenses for those lawyers on tour with the court circuit?

Hon. Mr. Pearson: They are travelling as employees of the government, and the travel regulations apply. I am sure the member opposite has a copy of the travel policy. The regulations in respect

to expenses apply.

Mr. Chairman: We shall recess for ten minutes.

Recess

Mrs. Joe: Can the minister tell me what is happening with regard to the courtworkers? They have not been able to travel into the communities for a number of months now because they do not have enough funding to pay for their travel. Has the department considered more money so that those services that are necessary in the communities can be used?

Hon. Mr. Philipsen: At the time the issue was raised I searched into it and to the best of my knowledge, even to date, there has not been a request from that organization to this government for extra funding.

Mrs. Joe: Over the years, the courtworkers have had that amount to travel and over the years the funding in the budget has not increased for the courtworkers. Because the cost of living has gone up, it costs them more money to operate and I would have thought that a government, that would look towards the future, would realize that certainly a program that has not had increased funding for a long time would offer the type of funding that is necessary. They are aware that the money has not been available for travel. It has been mentioned in the House many times and I just feel that because it is a necessary service, and because the government has been made aware of it, not only by members on this side of the House but by the courtworkers themselves through newspaper articles and whatnot, I thought the government or department would look to the future. As a matter of fact, throughout the budget in the spring with regard to courtworkers, it was brought up at that time. There was no real explanation as to why there was not enough money.

Hon. Mr. Philipsen: We would indeed be in bad shape if we handed out money and ran our budget by newspaper articles. What we do is have people who are in responsible positions in departments bring forward their budgetary needs. We then assess those budgetary needs and work from that end towards the amount that is put in the budget. We do not go on the assumption that because something has appeared in the newspaper, it obviously is not working very well. Individuals who are running the program are the people who are aware of the need and if they do not come forward with that need and express that need to the government, then I would think it entirely presumptuous on government's part to decide we were going to hand out money on the basis of articles in the newspaper.

Mrs. Joe: Can we assume then that if the courtworker or the board directors of that program applied for more funding to allow for travelling to communities that that type of funding might be forthcoming?

Hon. Mr. Philipsen: No, you cannot take it for a fact that is automatically going to happen but you can take it for a fact that, if it is brought to us, we will certainly look at the budget and examine it and work it from that end.

Mrs. Joe: Last year, there was quite a bit of money put aside to fix up two trailers and, at that time, the plans for the trailers were to take them into the communities in order to do some kind of voluntary community work. This is the information I received from the director of corrections. Through the course of the year, the trailers were fixed up and were put into use. At the time, I asked the former Minister of Justice what was happening with those trailers and he told us that they were being fixed and were being tested, and when they found out the results of the test they would decide what to do with them. Could the minister let me know right now what has happened with those trailers? Are they being used or are there plans to send them out to the communities with inmates and staff members to do the work that the director had informed us at the time that they were going to do?

Hon. Mr. Philipsen: I am still waiting for a report from the director in this regard. I do not think that the trailers will be leaving town during the winter months. There is an area that we will have to look into to ensure that the work that is being done through these trailers and the people who are living in them does not conflict with

the work that would be done by the private sector in any individual community.

Mrs. Joe: In regard to the high incarceration rate, I know that each winter the incarceration rate increases at the Whitehorse Correctional Centre. Can the minister — since winter has only begun — tell me if they are planning to use the trailers they have now in case they need extra space at the jail?

Hon. Mr. Philipsen: We have been fortunate so far in being able to utilize the facilities we have available without a need to go into any of the work trailers. We have the minimum security trailers that are sitting there at the same time. They have a good capacity. People who would be able to go out into the communities in a work trailer would probably be able to stay in minimum security, in the trailers that are stationery at the site of the centre. We would be alright in that regard.

Mrs. Joe: Are the trailers that they are using right now for minimum security prisoners filled up at this point in time?

Hon. Mr. Philipsen: The minimum security trailers are not filled up at this time and I cannot imagine that there would be enough people on minimum security in this area in the foreseeable future to actually fill that section. There are two or three trailer units there. I do not think that there would be need for more than one of those at the present time.

Mrs. Joe: I would like to ask the minister another question with regard to JP training. There has been discussion in this House before regarding JP training, and the minister has assured me, on behalf of the former minister last spring, that the training would continue to be as good as it has been, and that everything is fine. However, there has been some incidents in communities, during court circuits, where the JPs who should have been sitting with the judges at that time to try to improve their training, have not been doing that. I understand that very often the judge does not have that time to spend with the JP who is interested in becoming a sitting JP or a JP II. I just wondered if the minister might inform me whether or not that training is not happening, as was indicated by the former minister last session during Question Period during budget debate? Is the minister aware that those things are not taking place?

Hon. Mr. Philipsen: There was a training session last year, and a number of individuals went through that training session. At the present time, through OIC appointments, we are appointing individuals who did go through that training in communities, and there have been some individuals in the communities who have had their OICs revoked for a number of reasons; a lack of interest on some parts. Some people feel that they do not wish to serve any longer. Those OIC appointments have been revoked and they have been refilled. I have not heard from the communities, or from the judges, that they are not satisfied with the JP services, that it is not functioning.

Mrs. Joe: I was asking the minister whether or not he was aware that some of the JPs who were willing to sit with judges to increase or improve their training, if he was aware that that was happening. I am not sure whether he answered me or not. When a JP has been appointed as a JPI and a JP II or III, there is an honorarium of so much a month that they get. Could the minister tell me if every JP appointed receives that honorarium? Does every JP, who is not an employee of this government, receive that honorarium?

Hon. Mr. Philipsen: That is a difficult question to answer, but I believe they would. I can see no reason why a person who was not a member of this government would not receive the honorarium. I do not know why the question would be asked of us. Is there a specific question you wish to follow it up with?

Mrs. Joe: I have had a complaint from one of the JPs who has not received an honorarium for the whole year. The JP informs me that she has continued to do as she is required to do, in terms of training, has kept in touch, has received the information that all the JPs get, but has not received her honorarium. That is why I asked that question. I just wondered if there might be some other JPs that the same thing is happening to.

Hon. Mr. Philipsen: Not to the best of my knowledge. I would appreciate knowing the name of the individual and I will look into the matter for you. We will, hopefully, seek a resolution to the

problem.

Mrs. Joe: I will give that information to the minister some other time and not right here.

Mr. Kimmerly: I have a very simple issue to discuss, a very specific one. Under the general area of legal aid, I am aware that legal aid is not available to battered women who are seeking a peace bond. I am aware that the legal aid organization is changing but I ask the minister, in the interim until the committee takes charge of the new program, will the minister provide legal aid services to battered women seeking a peace bond?

Hon. Mr. Philipsen: I will have to take that under advisement as I cannot give that answer at the present time. I can give the member this answer: we have done a battered women study as the member knows and I have spoken to it in this house. There are 97 recommendations. We have said that we will follow up the first two recommendations. The member knows those two recommendations. To bring out what those recommendations are so that there is no question left in anyone's mind, the territorial government has said we will ensure that this report be followed up by the continued existence of an interdepartmental committee on battered women. The second recommendation is that the representation on this committee be widened to include the interests of the Department of Health and Welfare Canada, The Department of Indian and Inuit Affairs, correctional services within the Yukon department of Justice and selected private agencies. One of those private agencies would be Kaushee's Place or the transition home. I would hope for an early recommendation and, on receipt of that recommendation, we will make a decision. Other than that, I would have to take the question up.

Mr. Kimmerly: I will speak a bit further as the minister is going to look into it. I appreciate that.

The proposal I am making would cost very, very little money but it would cost some money. There is no doubt about that. The present situation, as the minister obviously knows, is that the peace bonds are characteristically pursued in the courts by the federal Crown attorneys.

* That is not universal, because as a private lawyer I have pursued and obtained peace bonds for individual clients, although the Crown attorneys raised their eyebrows at that and there is an implication that the private lawyer is stepping into the jurisdiction of the federal Crown attorneys. I am interested in that issue. Certainly, as a monetary proposition for private lawyers, it is insignificant, or it is a money-loser, as opposed to a money-maker, but there are very, very important personal issues involved. In one situation that I am aware of the woman involved was very dissatisfied with the service of the federal Crown attorney and wanted a private lawyer and that was not possible. Of course the federal Crown is representing a general interest and the woman involved wanted her interest represented and in situations like that it is my opinion that the individual interest should be represented. A decision of the court is another matter but that particular individual interest is deserving of representation in the court. I would argue strenuously that battered women seeking peace bonds are almost always impecunious at the time. They require legal aid, generally, and the expenditure involved would be very little. I would recommend that battered women have available to them the services of their lawyer to pursue a peace bond. If it is not possible under the legal aid program, I recommend to the minister that the time of solicitors in a department be made available to advise battered women on a public service basis. If the department is pursuing taking jurisdiction in the criminal area in the near future, it would be a useful first step and I would recommend that course of action to the minister.

²⁹ **Hon. Mr. Philipsen:** I thank the member opposite for his thoughts in this regard and I will look into it.

Department of Justice in the amount of \$248,000 agreed to
On Public Service Commission

Public Service Commission in the amount of \$45,000 agreed to
On Department of Renewable Resources

Department of Renewable Resources in the amount of \$154,000 agreed to

On Loan Capital

Loan Capital in the amount of a reduction of \$2,153,000

agreed to

On Operations & Maintenance

Operations & Maintenance in the amount of \$438,000 agreed to

Mr. Chairman: We will now continue with the capital votes.

On Department of Community and Transportation Services

Department of Community and Transportation Services in the amount of \$1,000,000

On Department of Economic Development and Tourism

Department of Economic Development and Tourism in the amount of \$1,487,000 agreed to

On Department of Education, Advanced Education and Manpower

Mr. Byblow: This is a supplementary so that would therefore indicate to me that a total cost of the renovations to Yukon College this year would be exceeding two million dollars. Is that correct?

Hon. Mr. Lang: The dollars here that we speak of will be expended over the course of the year, similarly to the amount that has been budgeted for the 1985-86 year. Basically, what has been put forward is \$210,000 for architectural, conceptual design for the new college, engineering costs, \$40,000, architectural fees approximately \$1.2 million. Those are the figures that we have before us and it flows into the 1985-86 year because some of the money is going to be spent prior to April 1, and that is the purpose of having it.

Mr. Byblow: The minister is saying that \$1.2 million is part of the architectural and engineering design for the new Yukon College. Obviously, that is going to be used in the current fiscal year and he says it is going to flow into next year. I have lost him on the flow because we voted new money for next year.

Hon. Mr. Lang: This is for this year. One balances out the other. The \$1.2 million dollars is voted for next year. It is projected over the course of this year. We are not sure, but this is what we have projected. It has been presented to me that we could spend up to April 1, 1985, depending upon how quickly we get our proposals to the architects, and for various other works that have to be done.

Mr. Byblow: If \$1.2 million is spent this fiscal year because tenders have to be let before March 31, that money spent this year would be deducted from the \$2.9 million for next year?

³⁰ **Hon. Mr. Lang:** Could you redirect that question to the Minister of Finance?

Mr. Byblow: My question was simply that if we have allocated in this slot \$1.2 million for architectural and engineering design on the new Yukon College, and we spend that this year before March 31, does that mean that \$1.2 million is subtracted from next year's allocation of \$2.9 million?

Hon. Mr. Pearson: No.

Mr. Byblow: If it is not subtracted, then what it amounts to is that the Yukon College allocation today in total has exceeded \$4.4 million.

Hon. Mr. Pearson: In the capital budget, there is a reflection of money spent in 1984-85. That total included this \$1.5 million. It is not there twice.

Education, Advanced Education and Manpower in the amount of \$1,530,000 agreed to

On Department of Government Services

Government Services in the amount of \$1,040,000 agreed to

On Department of Justice

Justice in the amount of \$1,010,000 agreed to

Capital in the amount of \$6,067,000 agreed to

Operation and Maintenance and Capital in the amount of \$6,505,000 agreed to

On clause 2

Clause 2 agreed to

On clause 3

Clause 3 agreed to

On clause 4

Clause 4 agreed to

Mr. Penikett: I am just fascinated by that particular effective date.

Hon. Mr. Pearson: I am not absolutely certain why it is that specific date. It would have something to do with the assent to the bill for our budget, because that would have the date that our

budget was assented to: May 17, 1984.

Clause 1 agreed to

On title

Title agreed to

Hon. Mr. Pearson: I move that you report Bill No. 43.

Motion agreed to

Mr. Speaker: *Fourth Appropriation Act, 1984-85*, has been cleared from Committee of the Whole.

Hon. Mr. Lang: I move that Mr. Speaker now resume the chair.

Motion agreed to

Mr. Speaker resumes the Chair

³¹ **Mr. Speaker:** I will now call the House to order. May we have a report from the Chairman of Committees?

Mr. Brewster: The committee of the Whole has considered Bill No. 39, *First Appropriation Act, 1985-1986* and Bill No. 43, *Fourth Appropriation Act, 1984-85*, and directed me to report the same without amendments.

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

Some Hon. Members: Agreed.

Mr. Speaker: May I have your further pleasure?

Hon. Mr. Lang: 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 9:27 p.m.

The following Sessional Paper was tabled November 26, 1984:

84-4-41

Auditor General's Report for year ended March 31, 1984 (Taylor)

