



The Yukon Legislative Assembly

Number 46

3rd Session

26th Legislature

HANSARD

Monday, December 1, 1986 — 1:30 p.m.

Speaker: The Honourable Sam Johnston

Yukon Legislative Assembly

SPEAKER — Honourable Sam Johnston, MLA, Campbell

DEPUTY SPEAKER — Art Webster, MLA, Klondike

CABINET MINISTERS

NAME	CONSTITUENCY	PORTFOLIO
Hon. Tony Penikett	Whitehorse West	Government Leader. Minister responsible for: Executive Council Office; Finance; Economic Development; Mines and Small Business; Public Service Commission
Hon. Dave Porter	Watson Lake	Government House Leader. Minister responsible for: Tourism; Renewable Resources.
Hon. Roger Kimmerly	Whitehorse South Centre	Minister responsible for: Justice; Government Services.
Hon. Piers McDonald	Mayo	Minister responsible for: Education; Community and Transportation Services.
Hon. Margaret Joe	Whitehorse North Centre	Minister responsible for: Health and Human Resources; Women's Directorate.

GOVERNMENT PRIVATE MEMBERS

New Democratic Party

Sam Johnston	Campbell
Norma Kassl	Old Crow
Art Webster	Klondike

OPPOSITION MEMBERS

Progressive Conservative

Willard Phelps	Leader of the Official Opposition Hootalinqua
Bill Brewster	Kluane
Bea Firth	Whitehorse Riverdale South
Dan Lang	Whitehorse Porter Creek East
Alan Nordling	Whitehorse Porter Creek West
Doug Phillips	Whitehorse Riverdale North

Liberal

James McLachlan **Faro**

LEGISLATIVE STAFF

Clerk of the Assembly	Patrick L. Michael
Clerk Assistant (Legislative)	Missy Follwell
Clerk Assistant (Administrative)	Jane Steele
Sergeant-at-Arms	G.I. Cameron
Hansard Administrator	Dave Robertson

⁰¹ **Whitehorse, Yukon**
Monday, December 1, 1986 — 1:30 p.m.

Speaker: I will now call the House to order. We will now begin with prayers.

Prayers

DAILY ROUTINE

Speaker: We will proceed at this time with the Order Paper. Introduction of Visitors?

TABLING RETURNS AND DOCUMENTS

Speaker: I have for tabling the Report to the Yukon Legislative Assembly by the Auditor General of Canada on Any Other Matter for the year ended March 31, 1986.

Are there any further Returns or Documents for Tabling?

Hon. Mr. Penikett: I have for tabling the 16th Annual Report of the Yukon Public Service Staff Relations Board and the 12th Annual Report of the Yukon Teachers Staff Relations Board, both from 1985-86.

Hon. Mr. Kimmerly: I have for tabling the Annual Report of the Yukon Liquor Corporation for last year, and explanatory notes to the new Bill to be tabled today on Human Rights.

Speaker: Are there any Reports of Committees?
 Petitions?
 Introduction of Bills?

INTRODUCTION OF BILLS

Bill No. 99: First Reading

Hon. Mr. Kimmerly: I move that Bill No. 99, entitled *Human Rights Act*, be now introduced and read a first time.

Speaker: It has been moved by the Hon. Minister of Justice that Bill No. 99, entitled *Human Rights Act*, be now introduced and read a first time.

Motion agreed to

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

Are there any Notices of Motion?

NOTICES OF MOTION

Hon. Mrs. Joe: I move THAT it is the opinion of this House that health care premiums constitute an unfair tax on Yukoners and that this House supports the passage of an Order-in-Council pursuant to the *Health Care Insurance Plan Act*, which would have the effect on April 1, 1987 of abolishing the requirement for Yukoners to pay health care premiums.

⁰² **Speaker:** Notices of Motion?
 Ministerial Statements?

MINISTERIAL STATEMENTS

Alaska Highway and Gold Rush Anniversaries

Hon. Mr. Porter: Today I rise as Minister responsible for Tourism to inform the House of initiatives taken by this government towards celebration of the anniversaries of the Alaska Highway and the Gold Rush.

1992 will mark the 50th anniversary of the building of the Alaska Highway, and 1996 — 1998 will mark the anniversary of the discovery of gold and the subsequent gold rush. Both events are major historical landmarks in shaping the development of the Yukon Territory; both are worthy of national and international

recognition.

The building of the Alaska Highway shaped not only the settlement patterns of northern peoples and the development of our existing communities, but also provided a transportation route for defense purposes, for the supply of goods and services to northern communities, and, in more recent times, a transportation route for tourists visiting the Yukon and Alaska.

The discovery of gold by George Carmack, Skookum Jim and Tagish Charlie on Bonanza Creek in 1896 set into motion the Klondike Gold Rush of 1898, bringing thousands of people to the Yukon in search of their fortune. The Yukon quickly became famous all over the world, attracting people from all walks of life. With the help of coastal and interior indigenous peoples, many gold seekers adapted to life in the north and made the Yukon their home. Many Yukoners are descendants of those who came with the gold rush and have vivid memories of their forefathers' stories of climbing the Chilkoot Pass on their way to the Dawson gold fields.

Yukon Indian people also have memories of the gold rush and the building of the Alaska Highway. Elders such as the late Johnny Joe, who lived on Marsh Lake until his death last year at 102 years of age, told stories of seeing, as a child, boats and rafts full of gold seekers floating down the Yukon River past his home on the shores of Marsh Lake. Stories by Yukon Indian elders of running away in fear after seeing an automobile for the first time make us realize the impact that the building of the Alaska Highway had on Yukon Indian peoples who, before that time, had little contact with non-Native technology or with other North Americans.

The Yukon government is taking the initiative in beginning to plan jointly for the celebrations of both these historic anniversaries. Much lead time is needed to coordinate the plans of the various federal and territorial government departments, the private sector and non-government organizations who have expressed interest in the anniversary celebrations. It is our view that planning, commitment and support from both the private and public sectors will be critical to the success of these anniversary celebrations.

Representatives of the Department of Tourism have had meetings to discuss potential ideas for the anniversary celebrations with officials from Parks Canada, Tourism Canada, B.C. and Alberta governments, as well as the Department of Renewable Resources within the Yukon government.

Given the significant tourism impact of these events, we have asked the Yukon Visitors Association to play a leading role in coordinating the participation of the private sector in the anniversary celebrations; they have responded favourably to this invitation. The Klondike Visitors Association and the Yukon Chamber of Commerce have also expressed interest in the celebrations.

⁰³ In the coming weeks I intend to contact other key individuals and organizations that may have an interest in the anniversary celebrations such as the Council for Yukon Indians and the Yukon Historical and Museums Associations. We welcome the participation of all interested organizations in the planning of these important historical celebrations. These events provide an opportunity for the Yukon to attract many new visitors as well as return visits from descendants of those involved in both the historic events. I might add, in 1996 Dawson City will be hosting the World Gold Panning Championships and with hometown advantage maybe our resident gold-panning expert, the Member for Porter Creek West, just may win the championship this time.

Mr. Brewster: We on this side, of course, welcome both these anniversaries. They are very great things to look forward to. However, as usual, I will have to point out a few things that are literally wrong.

Number one, there is no mention of the Kluane area on the Alaska Highway. It was officially opened and nobody appears to even have consulted with the Alaska Highway Association Committee. I would suggest perhaps they should have something to say about this.

Speaker's Ruling

Speaker: Before calling for Question Period, I wish to provide

a ruling on a question of privilege which was raised by the Minister of Justice on Thursday, November 27.

The Minister of Justice said, in referring to remarks made by the Member for Whitehorse Riverdale South, that: "The Member opposite has accused Members on this side, including myself, of prompting the Speaker. That is a comment that must be withdrawn."

In consideration of this matter I would refer Members to annotations 52 and 117 Beuchesne. Annotation 52(1) states: "The Speaker should be protected against reflections on his actions."

A portion of annotation 117(1) states: "Reflections upon the character or actions of the Speaker may be punished as breaches of privilege. His actions cannot be criticized incidentally in debate or upon any form of proceeding except by way of a substantive motion."

The Chair has reviewed the remarks of the Member for Whitehorse Riverdale South to determine whether reflections were made on the actions of the Speaker. The Member said: "I find that that side of the House is constantly prompting the Speaker. I have confidence that you, Mr. Speaker, will rule when you feel that the sentence is the second or third sentence."

The Chair feels that these remarks are not reflections on the actions of the Speaker and I, therefore, find that there is no question of privilege.

The Chair does wish to advise Members, however, that Members making these kinds of remarks should give careful consideration to what they are saying as standing order 19(1)(J) states that the Speaker is required to call a Member to order if that Member: "Uses abusive or insulting language of a nature likely to create disorder."

« This then brings us to the Question Period.

QUESTION PERIOD

Question re: Service contracts

Mr. Phelps: With respect to the new policy of the government regarding consulting contracts and service contracts, which are worth some \$10 million to \$20 million a year, according to the Minister: in view of the fact that the government set a precedent whereby the Opposition got copies of all consulting contracts and service contracts before each and every sitting, would the Government Leader not agree that this action and these precedents amounted to a policy of the government, prior to November, of giving us copies of all of these contracts before each sitting?

Hon. Mr. Penikett: The action taken by the government was taken in the absence of a policy. At the point when the Leader of the Official Opposition's colleague, the Member for Porter Creek East, chose to escalate the demands even further by asking for daily releases of this information — and we anticipated there would be further escalations of demands for other information — and at the suggestion of the Members opposite that there should be a clear policy, we took the matter under advisement and made a clear policy, which was announced last week, and will govern our actions with respect to the release of this information from here on in.

Mr. Phelps: If the Opposition states very clearly that it will not be making any additional demands on the precedent that was set or the policy that was utilized, *de facto*, by the government before November, in the interests of the taxpayers and the watchdog services provided by the Opposition, would the government consider going back to its former policy of providing the Opposition with copies of all consulting contracts and service contracts prior to each sitting?

Hon. Mr. Penikett: That question is, in fact, a representation and, therefore, I suspect out of order. I will respond, nonetheless. The Member is asking us to rewrite or undo history. Even though we heard for the first time on Thursday last that the Leader of the Official Opposition was satisfied with the practice observed in the last sitting, the record clearly shows that his colleague, the Member for Porter Creek East, immediately escalated the demand to asking for daily tabling of such documents.

« Faced with these escalating demands, we chose to consider the

policy very carefully. We have adopted the policy, which is a new one, but we think one that will satisfy, eventually, the Opposition, as well as all citizens who have recently enquired about these matters.

Mr. Phelps: We on this side can understand why the government would reject the requests of the Member for Porter Creek East; however, can the Government Leader, in addition to that, tell us, aside from answering in the negative to the said Member, why the government chose to change the policy and restrict the public's right to know.

Hon. Mr. Penikett: We did not choose to change the policy. We brought in a policy that, for the first time, will not restrict the public's right to know, but will, for the first time in the history of this Legislature, provide a clear policy framework for making this information public, which is largely administrative information, but which we believe the public is entitled to know. As I have said, in answer to similar questions, as of the new fiscal year, the information about the identity of the contract or the amount of the contract or purpose of the contract will, for the first time, be available, and the Members will have all parliamentary means and citizens all normal public means of obtaining further information about any particulars they desire.

Question re: Service contracts

Mr. Phelps: The fact is that the government has suddenly done an about-face and changed its policy. This means that the public will not have the right to know; they will never know what kind of contracts are broken down so as to be less than \$5,000, for example. We need this information in order to perform our duties to the taxpayers in Yukon as an Opposition and examine the budget and the monies spent to date, the monies that this government is asking us to okay for them. Does the Government Leader understand the concern that is being expressed?

Hon. Mr. Penikett: I was in Opposition longer than any other Member in this House, and I understand, perhaps better than anybody, the kind of information one needs to conduct debate in this House. I find it strange that the Members opposite are arguing that this is necessary information to conduct business since they never, ever provided it to the Members of the Opposition when I was over there.

The information is going to be available for the first time in an organized form to both citizens and Members of the Legislature as a result of the new policy of this government.

« We considered the policy very carefully. We have made the decision in full knowledge of our experience in Opposition and in government. We believe that fair-minded Members of this Legislature, and fair-minded Members of this community, will recognize the policy for the improvement it is.

Mr. Phelps: The policy is not an improvement. It is huge step backwards from the policy that this government was operating under for the last year and a half. It is not an improvement, and I would ask the Government Leader if we offer, with our limited funds, to do the work for them, to do the actual photostating of the documents so that we can have them on behalf of the public to peruse this ten to twenty million dollars —

Speaker: Would the Member please get to the supplementary?

Mr. Phelps: Would that make a difference?

Hon. Mr. Penikett: We are talking about, after all, the conduct of public business by the government. We are talking about information that does not, in the normal course of things, even come to Cabinet Ministers. We have, however, in a major break from the precedents established by the Members opposite, and in the absence of a policy left to us by the Members opposite, created a new policy that will provide the information for the first time in an organized fashion to citizens and to legislators.

We think that is the appropriate thing to do. The Member opposite suggests that they will not escalate the demands. We have responded to every reasonable request for information from Members opposite. When the requests began to become unreasonable, prudence and good government requires us to draw the line.

Mr. Phelps: We have offered to do the photostating; we have offered to provide the paper; we have offered to do the collating on

behalf of the government. Would the Government Leader tell us exactly what it is that they are ashamed of and what they are trying to hide?

Hon. Mr. Penikett: We are not ashamed of anything. In fact, we are opening up. The question ought more properly be put to his colleagues beside him. Why, for all the years they were in government, if this is such an important matter of principle, if this is so essential to the conduct of legislative business, did the party opposite never, ever give any of this information, in any form, to the Opposition? The Member opposite says we did not ask for it. That is just not true.

Question re: Faro housing

Mr. McLachlan: My question is to the Minister of Community and Transportation Services. Is it the plan of Yukon Housing Corporation to acquire any more housing stock in Faro, either intentionally, or unintentionally?

Hon. Mr. McDonald: If the Yukon Housing Corporation were to purchase more housing in Faro, it would do so intentionally. I do not think they would do it by accident. The desire of the Housing Corporation to provide sufficient housing to meet staffing demands for the school, for example, might require it to purchase houses, or to make trades, with Faro Real Estate in the future in order to accommodate those needs.

⁶⁷ At this time, there is no desire by Yukon Housing Corporation to purchase more units in Faro.

Mr. McLachlan: On Monday last, Mr. Speaker tabled a document in this Legislature from the Auditor General of Canada with respect to the accounts of the Yukon Territory to March 31, 1986. The document clearly indicates the manner in which a \$3.4 million loan to Curragh Resources is to be repaid to government in, quoting from the record, "quarterly instalments over a five year period, commencing June of 1988."

Why is the government insisting now that the monies garnered from private housing sales in Faro, as few as they may be, must now be repaid directly to it one-and-one-half years in advance of the prearranged repayment schedule?

Hon. Mr. McDonald: I am not a lawyer, but I understand that the request to have the funds paid back to the Government of Yukon are consistent with the mortgage document. There is a concern that if we do not operate that way that we would divest ourselves of any security in the form of houses and improvements that act as security to the mortgage, making it more difficult to collect on the loan down the road.

Mr. McLachlan: When one company or an individual offers to repay a loan in advance, that is one thing, but when the loaning party — the government, in this case — insists upon advance payment ahead of the schedule, that is quite another thing. It brings into question the whole principle of the trust upon which the deal was negotiated. It may give rise to the question of litigation due to non-compliance.

Does this government presume to know anything more about the terms and conditions of the mortgage than the Auditor General of Canada does or was explained to him in this document tabled in the Legislature?

Hon. Mr. McDonald: I do not have the particulars of the mortgage agreement with me, but I understand that the request to have the proceeds of sales of the units turned back to the mortgagor is consistent with the mortgage agreement itself. We would certainly — not only as a matter of trust with our business partners, but as a matter of trust generally — do everything in our power to act in accordance with the mortgage agreement. That is something that I would undertake to ensure. I understand that that is the situation today.

Question re: Service contracts

Mr. Nordling: With respect to contracts, the contract directives that were effective January 31, 1986, indicate that service contracts equal to or less than \$5,000 need not go to tender, either invitational or public.

⁶⁸ How was the \$5,000 figure arrived at?

Hon. Mr. Penikett: I will take that question as notice.

Mr. Nordling: My point is that a fair chunk of taxpayers' money can be spent \$5,000 at a time. If these contracts are not available to the public to bid on, then they should at least be available to the Opposition to review on a timely basis. If, when he takes the first question under advisement, could the Government Leader consider lowering that \$5,000 figure?

Hon. Mr. Penikett: That is a representation and, therefore, out of order.

Mr. Nordling: What we are discussing here is the spending of taxpayers' money and accountability. Does the Government Leader feel it is necessary to have a \$20 million slush fund to spend and not be accountable for it until the end of the year when all that money has been spent?

Hon. Mr. Penikett: I would ask the Member respectfully to withdraw the remark about the slush fund or make an allegation and put his seat on the line.

Question of Privilege

Hon. Mr. Penikett: On a question of privilege, Will the Member withdraw his allegation about slush funds?

Speaker: Is the Government Leader raising a question of privilege? If so, I would like to take this under advisement.

Hon. Mr. Penikett: I appreciate you taking it under advisement. Let me advise the Member, since he is new here that in using the term "slush fund", he is making an allegation about the misuse of public funds. If he is prepared to make such an allegation, then he must stand in his place and make the allegation. My Question of Privilege, if you find I have one, will be referred to the Standing Committee on Rules, Elections and Privileges. If the Member cannot substantiate his charge about an illegal, immoral or improper use of funds, he will, of course, be forced to resign his seat.

⁶⁹ **Mr. Nordling:** Perhaps to save you ruling on the point of privilege I am prepared to agree that the use of the term slush fund is not acceptable and to withdraw that term and ask the Government Leader if he thinks that \$20 million in budget allocation is necessary for which the government is not accountable for until the end of the year when we are presented with indications as to where the money has been spent.

Hon. Mr. Penikett: The Member's question, before he made his ending remark — and I appreciate him withdrawing it — was about accountability. The cycle of accountability begins in this House with the budget estimates that are put before the House: the political purpose, the policy purpose and the program under which those monies will be spent is, of course, debated.

At the end of the year with the public accounts, those expenditures, as in the past, are reviewed by a committee of this House, an all-party committee led by the Leader of the Official Opposition. Between those times, Ministers are accountable to particular questions about particular programs.

For the first time there is a policy in place now about making public information of all the service contracts over a certain amount. That is great leap forward from the previous situation that existed when the party opposite was in power and no such information was provided to the House or the public at all, about any contracts, contracts far in excess of the \$5,000 limit. I stand by our position, which is the policy we put in place and which is a considerable improvement on the previous situation.

Question re: Service contracts

Mr. Phillips: I find it quite incredible, in answer to a question of the Member for Porter Creek West, that the Government Leader has just put a brand new policy into place regarding contracts, and he does not know why there is a \$5,000 ceiling.

My question is to the Minister of Justice. How many contracts under \$5,000 have been issued since April 1, 1986?

Hon. Mr. Kimmerly: I do not know, of course, but the policy should answer the questions at the appropriate time.

Mr. Phillips: How in the devil can they put policy into place and not have any data? Can the Minister state the percentage of the number of contracts that are under \$5,000 since April 1st?

Hon. Mr. Kimmerly: In terms of numbers of contracts and dollars, I do not specifically know.

Mr. Phillips: Of the \$12 million in contracts that have already been let, could the Minister tell us how many of these, percentage-wise, went to local people versus out-of-town people versus consulting?

Hon. Mr. Kimmerly: For purchasing, 87 percent went to local people and 13 percent outside. For service contracts, which includes consulting contracts, 73 percent to local people and 27 percent outside.

Question re: Service contracts

Mr. Lang: It is amazing how we can get statistics if the government feels it is to their benefit.

With respect to the \$5,000 limit that will not be made available to the public from here on in, how do they determine \$5,000? Did it have anything to do with directives?

Hon. Mr. Penikett: I have already taken that question as notice today.

Mr. Lang: When a decision was taken with respect to the new policy that the Government Leader is so proud of, was there any discussion with respect to the \$5,000 limit, or was it just blindly accepted? How did he come to that decision, in view of the fact that he cannot answer the question?

Hon. Mr. Penikett: I believe the Member ought to know, from having many years in Cabinet, that the content of Cabinet discussions is not for public debate.

Mr. Lang: I am very confused. I do not understand why there would be a limit of \$5,000, and the Government Leader would not know why that particular dollar figure was arrived at. Was there any discussion outside of Cabinet with respect to getting to a \$5,000 limit where those particular contracts will never be made available to the general public, nor any Member of this Legislature?

Hon. Mr. Penikett: I agree with the statement that the Member is confused, but nothing else in his question. The Member is asking if we, as Ministers, have had any conversations. He will know that any conversations we have in this matter are privileged.

Question re: Service contracts

Mr. Lang: Since the Government Leader, who is so proud of the policy, does not know why the limit of \$5,000 was arrived at, perhaps the Minister of Justice knows why. If so, could he explain it to this House?

Hon. Mr. Kimmerly: That question has already been taken under advisement by the Government Leader, for the third time.

Mr. Lang: Maybe another way of asking the question is why is it that any contract under \$5,000, along with its terms and conditions, will not be made available to the public so that they know how and to whom those contracts were authorized? Why will they not know?

Hon. Mr. Kimmerly: It is inappropriate and simply wrong to suggest that those contracts will not be available to the public. If any Member or any individual has questions about those contracts, we will answer them.

Mr. Lang: Could the Minister explain to this House, if we do not know if a contract has been authorized, how are we going to be able to ask a question about that contract?

Hon. Mr. Kimmerly: That was the problem that we had when we were in Opposition also. The point is that at some point, information becomes administrative detail and it is not policy information. The policy of the government is to make available, for the first time, the essential characteristics of contracts as explained last week.

Question re: Service contracts

Mr. Lang: Why is it administratively impossible to provide this House with the contracts under \$5,000 as opposed to contracts over \$5,000? Could the Minister explain why that is so difficult?

Hon. Mr. Kimmerly: This has been explained before. That particular Member asked for copies of these contracts, and at considerable taxpayers expense we provided them. He then asked for daily information about those contracts. It is only reasonable and prudent to develop a sensible, coherent policy about these matters. Nothing is being excluded. If the Members have particular

questions about particular contracts, we will answer them.

Mr. Lang: I find myself at a loss, because I do not know who the government has gone into contracts with under \$5,000, so I cannot really ask the question. The question basically is, why will the Minister of Justice not provide for us the names of contractors and companies who have gone into agreement with this government for \$5,000 and less. Why can he not provide to the public? Otherwise we can only come to one conclusion and that is that there is something to hide, and I am sure this government, being as open and as accountable as it is, has nothing to hide. What is the difference between \$4,999 and \$5,001? Please tell us?

Hon. Mr. Kimmerly: That is a repetition of the question that has been asked numerous in the last week and today. The Members over there are wasting their time by asking questions over and over again. All we can do is answer over and over again. There is a government policy that was announced last week that, for the first time, gives Yukoners access to information about contracts in a sensible and coherent way. That is a substantial improvement over the situation that existed for years under the Tories.

Mr. Lang: We have had a very good process for a year-and-a-half. It is one that we did not complain about. Now we have a situation where we have a stifling of information.

If this is supposed to be such an open procedure and that they want the public to know all the information and how the government spends its money, could the Minister explain why it is necessary to go to the *Access to Information Act* to get this information? Why would that be a criteria with respect to getting information for \$5,000 or less?

Hon. Mr. Kimmerly: I have explained that before, also. I have clearly and specifically said that it will not be a requirement for Members of this House or for the public to go through the formal procedures of the *Access to Information Act*. All they need to do is ask, and we will decide on the release in accordance with the principles of the *Access to Information Act*. That is only reasonable. There could not be any other logical policy, because sometimes there is information in those contracts that would not be released under the *Access to Information Act*. We will apply the same criteria as exists in law, and we will answer all of their questions.

The implication of the Member opposite requiring the Access to .

Speaker: Order, please. Would the Member please conclude his answer.

Hon. Mr. Kimmerly: ... is wrong.

Question re: Service contracts

Mr. Phelps: I would like to make it clear at the outset that I am not fishing for another speech from the Minister when I ask him whether, in this new policy, this about-face of the NDP government after 18 months in power, unlike the old one that they had, what steps have been taken to ensure that contracts that would normally be for over \$5,000 will not be deliberately broken down into segments that are just under \$5,000?

Hon. Mr. Kimmerly: If Members opposite will continue to repeat wrong information we are forced to continue to correct it. There is not a reversal of policy, as was explained in the Ministerial Statement last week, and as was explained earlier today by the Government Leader in a response...

Speaker: Order please. Would the Member please answer the question.

Hon. Mr. Kimmerly: The government established a new policy for the first time last week.

Mr. Phelps: I think the Minister possibly has something wrong with his ears. That being something I am convinced of now, I will try to ask exactly the same question again. What steps in the new policy has the government taken to ensure that the contracts that would normally be over \$5,000 will not deliberately broken down into segments or sized portions of slightly less than \$5,000?

Hon. Mr. Kimmerly: Exactly the same steps that occurred prior to the establishment of the policy, which were exactly the same steps governments have taken for years and years; contract directives and the old regulations speak to that. There is no change in the policy about that issue.

Mr. Phelps: I am very pleased to hear things have improved a little bit on the other side. Perhaps the Minister could advise us what steps are being taken in view of the obvious carrot that has been held out to encourage people to break down the contracts in order that they not be more than \$5,000. That is a difference, surely, the Member will agree.

Hon. Mr. Kimmerly: There are no new steps contemplated because it is not a problem in the government at all.

Question re: Dawson City gravel pit

Mr. McLachlan: My question is for the Minister of Community and Transportation Services. I refer to a news release of November 18 on the closing of a gravel pit at Dawson City that contained a high degree of asbestos contaminants that tended to become airborne as the pit was worked. Correct me if I am wrong, but is this pit not within the boundaries of the municipality?

Hon. Mr. McDonald: Yes, it is within the municipal boundaries, but the land on which the pit operates is owned by the Government of Yukon.

Mr. McLachlan: If the pit is within the jurisdictions of the municipality, is the Minister saying that only the senior government can close the operation, that it only has the authority to exercise that power, that the municipality cannot?

Hon. Mr. McDonald: That is correct. The pit itself is owned by the government. It may be within the municipal boundaries, the exterior limits of the community, but land like land on which the pit rests, is sometimes owned by others than the municipality. In this case, it is owned by the Government of Yukon. For many months, at least, the issue has been discussed with the City of Dawson, primarily the Mayor, and, after extensive deliberations, we chose to be cautious — better safe than sorry — and closed the pit and reclaim the pit site. That was a decision that was referred to in the press release.

Mr. McLachlan: The question that has been directed to me on this issue is that it looks bad on the part of the government in that the pit was closed, then it was reopened and closed again. In the meantime, during the period of opening, a number of large contracts, some by government such as OTAB and some by private contracts have been completed in the area because it was open. The move looks like it was engineered, in some respect, for the benefit of government. Why did the closure not come sooner? Why did it take until the middle of November for a final decision?

Hon. Mr. McDonald: I would invite the Member to check the facts, and I will inform him later as to what the facts were. The government did not close the pit, reopen it and close it again. The government closed it temporarily in the summer time, and it is now permanently closed by official statement by the government in November.

The local contractor were charged with making use of materials other than those found in the front street pit, which they did.

Question re: Service contracts

Mr. Lang: Since we did not get a response from the Minister of Justice, there seems to be a fair amount of confusion on the Ministerial Statement about these service and consulting contracts. Perhaps the Government Leader could tell us what steps have been taken to ensure that contracts are not broken down below \$5,000 contracts so that they will not have to be reported to the public?

Hon. Mr. Penikett: I am advised that there was a problem some years ago, and there is now in place a clear directive that prohibits people from splitting contracts for the purpose of circumventing Management Board directives. A normal case where one might be apprehensive on that score is where someone might have a particular spending authority, and they would want to evade that control mechanisms by splitting a contract. That is the most used circumstance.

I am reasonably satisfied by the Minister of Justice that the directives that we now have in place make it quite clear that that is not an acceptable practice, and the internal auditors, if not the external auditors, would be bound to call attention to anybody engaging in that practice.

Mr. Lang: It is very interesting that the Government Leader

would make a statement of that kind, especially when it has come to our attention that you have the odd \$4,900 contract.

I would like to ask a question of the Minister of Justice. He indicated in one of his earlier replies that there would be certain information with respect to a public contract that he would not be able to release to the public. Could he please elaborate on that? Why would the terms of the references of a contract, untendered, not be made available to the public? What information is he referring to?

Hon. Mr. Kimmerly: The terms of reference would always be public. I cannot imagine any reason why they would not be. The *Access to Information Act* does contain exceptions for some information, which is of commercial value and the release of which is of commercial detriment to some interests. It is those kinds of things, if they were relevant, that I was thinking about.

Mr. Lang: Why did the Minister of Justice say to us that we would not be under the terms of the *Access to Information Act*, but we would be following the provisions, and now he says that we would be totally under the rules and regulations of the *Access to Information Act*? Why is it necessary for anyone who wants that information to have to go through the *Access to Information Act*, especially in view of the fact that nobody has been successful under that piece of legislation?

Hon. Mr. Kimmerly: Yes, I remember an infamous Tory poll that they would not release, or the contract that they would not release. The point is, the Member is repeating, again, an allegation that I have repeatedly told him is false. What we will be doing is to be guided by the principles in the *Access to Information Act*, and when Members ask for information, without going through the formalities of the Act, we will provide it.

Speaker: The time for Question Period has now elapsed. May I have your further pleasure?

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

Speaker: It has been moved by the Hon. Government House Leader that the Speaker do now leave the Chair and the House resolve into Committee of the Whole.

Motion agreed to

Speaker leaves the Chair

COMMITTEE OF THE WHOLE

Chairman: I will call Committee of the Whole to order. We will break for 15 minutes.

Recess

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

Bill No. 18 — Fourth Appropriation Act, 1986/87 — continued

Chairman: Details appear on page 7 of your Estimates book. O&M Estimates. General debate continued.

Mr. Lang: You will recall during Question Period and last week, of course, this side raised a number of concerns with respect to the fact that information that had normally been provided to Members of this House was now being, one could term it stifled, a major reversal of policy. Now the other side does not take that position, but those are the realities. The information was provided to us on request on the service and consultant contracts and we went through it very carefully. I do not think, in view of the information provided to us, that we were overly critical. We did pick up a number of areas where we felt questions should be asked but overall, like entertainment and things like that, we understand the government has a responsibility, and as long as it is done in a reasonable manner this side will not raise those as questions for the purposes of pursuing them in the House.

The unfortunate dilemma we are in is that we were told that on any contracts under \$5,000 we cannot have the information unless we specifically know what contract to identify and then we are

subjected to the *Access to Information Act* procedure - and I would assume the Act itself, contrary to what the good Minister of Justice tried to explain to us and the general public and left us all totally confused.

We are concerned because it is an area of major concern because we believe it does bring into question the accountability of the government. We believe it is a method to review the accountability of the government and just at the break I gave the House Leader a proposal to see whether or not we could break this impasse and meet the administrative requirements that the Government Leader and the Minister of Justice have indicated to us would be very onerous if done in batches or on a daily basis. What we are trying to do is come up with a solution to the problem so we could get the necessary information and, in turn, the public could get the necessary information and proceed expeditiously through the budget. I feel very badly that the Leader of the Liberal Party is not here because you will recall that he had recommended that perhaps we go to a quarterly reporting system. This is a proposal we have put forward reporting on a quarterly basis as far as the information is concerned. At the same time what we are saying is that there should be no limits. I think that the Government Leader, once he reviews it — and could not respond in Question Period of why there was a \$5,000 or why they did not accept it — he will find there is really no reasonable reason for that kind of a limit.

¹⁷ Whether it be \$5,000 or \$10,000, it just brings into question how money is being spent and how it is being authorized.

As opposed to getting into a continuous deadlock here, maybe the House Leaders should get together for a few minutes and discuss this a little further and see whether or not we can come up with a solution. I believe we put the solution forward. I am hopeful that the House Leader on the other side, in conjunction with the Leader of the Liberal Party, could get on with the business at hand. Perhaps the House Leader could respond, since we are dealing with money in the budget that has already been spent. The Minister of Education is indicating that he cannot tell us what service or consultants contracts you can go into unless we have identified them by name, which puts us in a very difficult position. It seems kind of nonsensical to be voting money without the information and having to wait until April 1, if it is over \$5,000. If it is under \$5,000, we would not be provided with that information anyways.

We are concerned about the spirit of the House and how we transact the business of the House, if the information is being denied to this side of the House, especially in view of the fact that it had been made available to us in its totality prior to this sitting. Perhaps the House Leader has a comment to make and then we could proceed with the business.

I would like to hear what the Member for Faro's comments are. One of the basic ideas there is from the idea that he had put forward when we were in the initial stages of debating this policy.

Hon. Mr. Porter: I will confirm that I received a letter prior to the break called by the Chairman with respect to the Committee of the Whole this afternoon.

Our position is that we thank the Member opposite for the written documentation of their position on this matter. We will take the question under advisement. What is necessary from our point of view is that we discuss the proposal as offered by the Members opposite and that we will then commit ourselves to responding to the particulars of the proposal brought forth.

Mr. McLachlan: As I indicated last week in the House, the concern that I have is with the method of dispensation of the information. I did not believe that annually was fast enough, and that quarterly or monthly would be a better solution. I am quite prepared to accept the intentions that have been put in this letter and brought forward by the Conservative House Leader. I think it is an honest and sincere attempt to get a little further forward on this issue and get some information flowing that will be of a benefit to all of us in the House.

I would like to hear the answer from the government side before I would comment further on any other possible ideas or solutions that I would have to it. I have one, but I would like to hear what Mr. Porter says today or tomorrow on this suggestion.

¹⁸ **Mr. Lang:** I find myself in a dilemma. You are asking us to

continue debate, I assume, on a budgetary item without the access to the information we are asking for under this letter. I would ask the House Leader, can we expect a definitive reply? It has been a topic of debate; there is no reason for delay. Could he tell the House when we, and the other party in this House, in view of the fact there is a consensus, and an unanimous feeling among all Members, can expect a firm reply from the government?

Hon. Mr. Porter: In the interests of responding accurately to the position brought forward by the Member opposite, I will undertake to have a reply to the proposal brought forward this afternoon by the time of our House Leaders' meeting tomorrow.

Mr. Lang: I know I am pressing the House Leader but, in fairness to the Members, it has been a topic of discussion; the pros and the cons of this major concern have been discussed in the public domain. Perhaps they could take a break and come and tell us, because it is going to dictate how we respond to the budget in the spirit and intent of going through the budget.

I am wondering if they may want to take a 15 minute break to discuss it, and come to a definitive answer. I think it is a reasonable request, and it will dictate the mood, to some degree, in the House, and the alacrity with which we go through the items. Perhaps the government House Leader could respond to that. I know that this has caused some concern for the MLA for Faro as well, in view of the fact we are talking about money that has already been spent, and it is a major aspect in respect to this.

Hon. Mr. Porter: In response to the further discussion on this issue, it would only be reasonable that the side opposite would expect, inasmuch as we are talking about government policy, that we should be afforded the opportunity to sit down and debate and give careful consideration to the position brought forward by the Members opposite. Our undertaking toward that end is — we have only received the position of the side opposite — that we would undertake to discuss the issue in our normal caucus meetings, and we will arrive at a decision no later than 10:30 a.m. tomorrow morning. We will convey that decision to the side opposite. I think that is in a reasonable response time with respect to the fact that the issue was only brought forward this afternoon.

¹⁹ **Mr. Lang:** We are at a loss as far as House business is concerned, because the House Leader realizes that it is a factor with respect to the business that is before the House. In view of what is transpiring here, perhaps we should move on to lotteries. If we go on with this Bill, we will just be asking for breakdowns, and it is going to turn into a very meticulous and arduous task, which I do not think the Minister of Education nor the other Members want to face.

Maybe we could go onto the *Lotteries Act*, which has been tabled, give it a second reading, and maybe we could discuss that.

Chairman: Order please. I think the concerns have been made very clear from one side of the House. The answers have been clearly articulated from the other side of the House with respect to their intentions. I would suggest to Members that in dealing with this Bill, looking at the O&M expenses, we could deal with questions on matters other than policy, on service and consulting contracts.

We will take a 15 minute recess at this time to consider that.

Recess

²⁰ **Chairman:** I call the Committee of the Whole to order. Continued general debate.

Mr. Lang: At the outset, in view of our discussions before the House, to clarify it for the record, perhaps I should take the liberty of tabling the letter I presented to the House Leader so that its contents in totality are known to the Members and the public. If I could start in that vein I would appreciate it very much if perhaps the Page could come and get the copy. I apologize to the Clerk for not bringing other copies.

We find ourselves in a little difficulty. I am pleased to see the government taking the position that they feel we have a responsible solution to the impasse we are at. The difficulty we find ourselves in is that we are dealing with monies that have been spent and that is part of our argument. I do not argue the point about proposed

expenditures because that is something you will not know. We would assume they will follow proper government procedures.

We did not have the opportunity for the House Leaders to get together, but my thought basically was that it would be advantageous to leave the supplementary and deal with either the Main Capital Estimates and discuss the policy direction of the government in that manner or revert back to the *Lotteries Act* that could have been debated last week but the regulations were not tabled at that time. They have been tabled now, and I think this piece of legislation rates some debate.

This is a thought I would like to put to the side opposite. We would be doing the work that is required, but I am asking for a reordering of the business. I never got a chance to speak to the House Leader and he may have some comments or would like to get together further on this. I think it would expedite business.

Hon. Mr. Porter: With respect to our position regarding the request of the side opposite for us to consider their proposal regarding the service contract issue, I reiterate our position and that is that we will definitely be discussing that proposal and we will be delivering a definitive response as to the government's position at 10:30 a.m. tomorrow at the regular House Leaders' Meeting.

The purpose of the House Leaders' Meetings is to try to reach agreement with the three parties represented in the Legislature with respect to the order of business. With respect to now putting that process before the Committee for examination, discussion, debate and negotiation, I would suggest, would be an improper process and in breach of the understanding as to why we have House Leaders' Meetings.

On the question of going on to other business, it is our position that there is substantial other business to be debated at this particular point in Committee. We have before us the *Fourth Appropriation Act*, and as we have heard from the Minister of Education, he is more than prepared to discuss the amounts indicated by expenditure of his department in the area of O&M and will provide the necessary answers to questions raised by Members opposite.

²¹ Our intention is to do what the taxpayers of the Yukon have voted us to do, and that is to deal with the business of the Legislature, and to deal with it in a civil way and in a way in which all Members would respect.

To conclude my remarks, our position is that we are more than prepared to debate and deal with any questions relative to the *Fourth Appropriation Act*. We will solve the issue with respect to the service contracts tomorrow at the House Leaders' meeting.

Mr. McLachlan: I do not know what further can be done at this point. I only hope that, as Mr. Lang has indicated, if there is no further answer that the answer is then forthcoming within the department's budget.

Chairman: General debate continued. Education.

On Advanced Education and Manpower

Mr. McLachlan: I have some education-related questions in the area of Advanced Education and Manpower.

Some preliminary meetings have been held between the department and Curragh Resources with respect to the setting up of apprenticeship programs, vis-a-vis the mine operation and those related trades.

Can the Minister indicate to the House how far along we have gone in any of those discussions related to March 31, 1986, at least?

Hon. Mr. McDonald: There have been numerous meetings between department officials and Curragh Resources to promote apprenticeship programs at Faro. I took the opportunity at a meeting, when Cabinet visited the townsite at Faro, to communicate our desire to see formal apprenticeship programs being undertaken by the mine, as well as to understand what the mine's needs were with respect to training generally. There was a good exchange between us on that score.

To date, I know of no formal apprenticeships being undertaken by Curragh. I understand that they indicated they are prepared to pursue formal apprenticeships, but, as of the moment, I am not aware of any formal apprenticeships being undertaken by the mine.

Mr. McLachlan: Such a program would undoubtedly require

the cooperation of Canada Employment and Immigration. They have some funding levels indicated in this as well. What has been the reaction of the federal government to instituting apprenticeship programs?

Hon. Mr. McDonald: I would suspect that the federal government — or the CEIC — would be more than prepared to assist through their apprenticeship program, should apprentices be taken on by employers. I have no doubt that that would be the case. I suspect that they would be very supportive of apprenticeship training.

The question that we are faced with presently is that the mine has had its attention focused upon the startup of operations and has not focused its attention as much on the training end of the corporation.

²² We have worked with them and will continue to work with them to encourage them to take on formal apprenticeships and also help them to understand what training could be outside the formal apprenticeship program. The discussion to date has been useful, if not overly productive.

Mr. McLachlan: I believe there is a minimum period of residency required in order to be enrolled in an apprenticeship program in the Yukon. With a host of new employees at the mine who come from all parts of Canada, how will the government protect against going into an extensive journeyman program with someone who arrives from Saskatchewan two months ago? How do we know that we will not be training apprentices, and I am anticipating a program will be signed when I ask this question, from some other province and then losing them in one year's time?

Hon. Mr. McDonald: Under the Apprenticeship Training Program, there is a requirement that the employer does accept a particular candidate for the apprenticeship. The government, under the terms of the existing program, could not dictate who will be an apprentice. We have indicated our interest and desire to have persons in Faro and persons who are residents of the Yukon to have the first opportunity for any apprenticeship that may come along. Essentially, the Curragh Mine is going to have to be consulted in determining who gets an apprenticeship.

Mr. McLachlan: One of the hoped for elements in the accord with Curragh and the Government of the Yukon Territory related, to a large extent, to the involvement of the complex known as Chateau Jomini, which was picked up as part of a \$1.6 million package. Is there anything further that the Minister can tell the House about the involvement of that building under the apprenticeship program? Is it the intent of the government to use that building for apprenticeships on site? Is it the intent of the government to use that building for any new programs that they may have, such as bakers, chefs, et cetera? Exactly what is the Department of Education's position with regard to that very expensive complex?

Hon. Mr. McDonald: There are two issues being discussed here. First there is the use of Chateau Jomini by apprentices. Apprentices are regular company employees who would be paid a wage and treated like other employees.

There has been, at least, one formal proposal to use Chateau Jomini as a gourmet cooking school by the person who is currently operating the complex.

²³ The proposal is one that we would encourage, though there are substantial financial implications to such a proposal. Because they are substantial, and because they do not conform to our immediate plans, we have indicated to the operators of Chateau Jomini that we would provide them with all the moral support that we could, and we would provide them with any expertise that we could, but at this time we would not be in a position to undertake financial support for the venture. It would be in the neighbourhood of \$2 million. As I understand it, that would be a significant expenditure on the part of the government.

We have investigated the use of the building for extension services of Yukon College for courses that might be undertaken at the Faro campus, so to speak. It appears, at this time, that we have not been able to find any conclusive evidence to support continued operation of Chateau Jomini solely on the basis of an extension of programs operated by Yukon College.

There will be cooking courses held. There may be some reason in the future to consider making use of Chateau Jomini and other

facilities outside of Whitehorse. As the Member knows, I am sure, Yukon College has designed into it cooking facilities to accommodate cooking courses of various kinds, camp cooking or gourmet cooking.

The camp cooking course is generally held in the bush, and, for that reason, any place outside of an urban area would be a suitable location for that particular course, within reasonable limits, of course. At the present time, at least, we have been unable to, despite our best efforts, identify any program that would justify the O&M costs associated with the entire project. There may be something in the future that would make it possible for a course, or for use by Yukon College, to contribute to the overall O&M costs. There is nothing that would support them exclusively themselves.

Mr. McLachlan: The moral support is good, but it, unfortunately, does not pay the fuel oil bill. It would be a shame if the government has gone ahead, or is going ahead, and purchased extensive equipment for the conducting of a cooking course at Yukon College when they own a physical plant, in effect, in Faro.

Perhaps the Minister, with coaching from Government Services, tell us what is going to happen when the lease on that building between Curragh and the government expires in 30 days, December 31? What is going to happen on New Year's Day? Is the government completely dropping out of the picture if Advanced Education and Manpower no longer has a use for that building in 1987?

Hon. Mr. Kimmerly: There is no decision taken at the present time. I recognize the time is nearing, but the government has not taken a decision. I would be interested in any representation that the Member has as to what should happen.

Mrs. Firth: I have some questions for the Minister of Education about the Indian Commission on Education. When I compared the figures for salaries that the Minister had given in the Legislature the other day, and the figures that I received when I made my inquiries about the terms of reference and salaries, I came up with a \$44,000 difference. The information that the Minister gave me, by letter, was that the Commission chairperson and the two Commissioners' combined salaries were going to be \$108,000. Yet, in the Legislature, he said that the Commission's budget, \$144,000, has been dedicated to salaries of the commissioners. Can the Minister explain why the discrepancy of \$44,000?

Hon. Mr. McDonald: One quick moment.

Mrs. Firth: Pardon me, just to correct the record, \$36,000 discrepancy.

Hon. Mr. McDonald: I am not exactly sure what the Member is asking, but the information that I have provided the Member was for a budget of \$367,200. The amount donated here to the Commission on Education is for a total of \$403,000. The balance was to be for supplementing Mr. Sharp's salary, which was in order to bring the salary up to a level that he normally receives as for his job classification. I can only guess that that is what the Member is referring to.

Mrs. Firth: I have the \$367,200. That was what the Minister gave me in the letter. Then, in the House, he said the total for the Indian Commission on Education was \$403,000. When I compared the salaries of the chairperson and two commissioners, that was where I found the \$36,000 discrepancy. I did not know it was to supplement Mr. Sharp's salary. I had not been given that information. Was that total amount to supplement Mr. Sharp's salary, then?

Hon. Mr. McDonald: My understanding is that it will supplement his salary budget to the level he would normally receive if he were to be working for the Department of Education. In working on the names of the Commissioners for this Commission, the name Bob Sharp was proposed to us even though he was a member of the Department of Education, and in accommodating this request for a person within the Department we found it necessary to provide sufficient salary dollars to attract a person to the position and that being the salary and benefits a person normally receives.

Mrs. Firth: The salary that was allotted to the core commission budget for the Chairperson was \$36,000. Am I to understand that another \$36,000 has been added to that and that Mr. Sharp's salary was \$72,000 for the Chairperson of the Commission as a regular

salary?

Hon. Mr. McDonald: Salary and benefits.

Mrs. Firth: Could I ask the Minister some questions about the Commission on Indian Education that has just recently been revealed in the media. Can the Minister tell the House what combination of things are causing problems and resulting in the Commission ceasing to function? It could not be salaries.

Hon. Mr. McDonald: I would not think it is fair to say the Commission ceased to function. There are community tours being undertaken at the present time. The situation, as I understand it, is that the Board of Chiefs for the Council of Yukon Indians indicated they wished a change of chairperson for the Commission. They feel that conflicts that have arisen over the past little while are conflicts that warrant that particular action and have expressed that much to me in the form of a resolution, which was transmitted to me the day after it was made.

I have attempted to speak with the principles, namely the other member of the Management Committee, Mary Jane Jim, Vice Chairperson for Social Programs, and I have spoken briefly to Mr. Sharp. I would like to discuss the matter with the other Commissioners.

It was established as an independent Commission, independent from both the Yukon Government and the Council for Yukon Indians. The latitude to affect the workings of the Commission is therefore rather limited. Clearly though, everybody wishes that the Commission's reports and recommendations be acceptable to the people of the territory, and I do not think it is in anybody's interests to create a political climate that would make it difficult for them to exercise the goodwill of the community by forcing a situation that created bad feelings.

If any Commissioners do not have the support of the community, their recommendations will more than likely not be as acceptable as they would if they did have the support. That is one character of the discussions that we are pursuing right now. What we want to see the Commission function in a civilized way, do the job that we asked them to do — because it is so important — and to try to resolve differences the commissioners have among themselves.

Mrs. Firth: That is exactly the reason I am asking these questions. The work that this Commission is to do is very important and, also, that some credibility be maintained. I find that that seems to be almost impossible under the present circumstances.

Just to refute what the Minister has said about the committee still working, in Sharp's press release in the paper on Friday — I am quoting from the *Whitehorse Star*, November 28, 1986 — stated that on Friday, November 14, Judy Gingell and Linda MacDonald each informed the chairperson by telephone that they still considered themselves as Commissioners, but that they had removed themselves from the operation of the Commission. This was stated without explanation, as they are unwilling to work with him (the chairman). They also said that they had talked to Mike Smith, chairperson of CYI, regarding their decision to cease working with the chairperson working under the terms of reference.

I interpret that as the committee ceasing to function. The Minister may want to correct me and say that the press statement that was released was wrong or inaccurate or whatever, but that is the way I interpret it. I have had several phone calls from people who interpret it exactly the same way as I do. Perhaps the Minister would like to make some comments about whether the committee is working or not.

Hon. Mr. McDonald: I thank the Member for allowing me the opportunity to refute her remarks. When I was referring to the Commission on Indian Education still pursuing its mandate, I meant to refer to the commission as a corporate lobby, not identifying every individual Commissioner as working hard in concert with the others in order to fulfill a particular end.

There are obvious conflicts between Commissioners, yet the chairperson on the Commission and the staff of the Commission are still conducting community meetings. I checked with them recently, but they may still be pursuing community meetings.

There have been varying levels of activity by the other Commissioners. There have been attempts to resolve the disputes that have arisen in the last little while.

27 That has not detracted from each Commissioner's desire to do a job for the territory in setting native education.

The Commission, formally, through a chairperson, is conducting community visits. I am not exactly sure what the other two Commissioners are doing at the present, but the bottom line is that the Commission, as a corporate body was, at least until Friday, functioning.

Mrs. Firth: Let me get this straight. The Commission is either working together as a corporate body or they are not. They cannot work independently of each other, and the way the Minister speaks, the chairperson is arranging community meetings, but he is not sure what the other two Commissioners are doing. He is paying their salaries. Are they doing what they are supposed to be doing, what the terms of reference of the contract says they are supposed to be doing?

Why can the Minister not tell us what the problems are? I understand that the Government of Yukon and CYI nominated the chairperson originally. There is obviously some disagreement between the chairperson and other two members of the Commission. I think that the House would like to know what the problems are. I would like to know, as the critic for Education, how the chairperson can be working. I also would like to know when the Minister is going to find out what the other two members are doing and what he is paying them for?

Hon. Mr. McDonald: The Member has hit the nail on the head. There are problems associated with the Commission. Nobody is denying that. The government, through the Minister of Education, is trying to resolve those problems in order to benefit the territory as a whole. There are numerous options available to the government, many of which would do a disservice to the whole concept of the Commission, many of which would not fill the function that the Commission was set up to fulfill.

I am sorry, but I am not going to speculate as to all the conflicts and difficulties that may exist between Commissioners on a personal level. That would serve no useful purpose, and I am going have to deny the Member's obvious curiosity on this score. If the Commissioners are not performing, they will not draw salary from the Commission. Over the weekend, we tried to resolve the obvious impasse in relations between Commissioners, and I am exploring the government's options with the CYI as to what we can do to solve it in order for a decent job to be done that will be respected by the communities. That is the intent of my actions to date. We are analyzing the contractual arrangement between this government and the Commissioners and Commission staff in order to determine what our full range of options are.

28 If the Member wants to make suggestions, we are perfectly prepared to entertain them. We are analyzing all the options with the view to ensuring that the good work of the Commission to date will not be lost, and the avenue is open to do more work in future and, hopefully, to conclude through recommendations in the Spring.

Mrs. Firth: I would like to make some recommendations. I am sure the Minister knows that I have been forthcoming with suggestions and recommendations. I do not always just stand and criticize; however, we do not know what the problems are. I have just gotten another inconsistency from the Minister's reply. Now, the Minister says that there are personal clashes, or something with personalities that are not meshing here, yet the Chairman of the Commission says that it is not personalities that are the problem, that it is something to do with the differing interpretation of the mandate of the Commission. What is the problem? Is it the mandate of the Commission? I was of the impression that all that was worked out in the terms of reference and agreed to by CYI and by YTG when the Commission was initially established. Now, for some reason, the problem has arisen. One person says that it is not a personality conflict; the Minister says it is a personality conflict. In order for a recommendation to be forthcoming, I would still like to ask again what is the problem?

Hon. Mr. McDonald: To be perfectly frank, I would not expect to have many useful recommendations coming from across the floor. I will try to explain it a little bit for the Member's benefit. I think it is terribly simplistic to say that there is one problem, one cause of the obvious problems that the Commission is facing at the

present time. They are not problems that I think are insurmountable. That is the reason for the negotiations and the discussions currently being held. There are, in my view, varying interpretations being given to the terms of reference for the Commission. There are, as a result of the tensions, I think, some residual personal conflicts between various Commissioners.

Primarily, as I say, it is the mandate through the terms of reference and the interpretation thereof, which are probably the root of the problems.

Mrs. Firth: The comment that the Minister first made about suggestions coming from this side was really uncalled for and unfair. I could further embarrass the Minister by bringing in at least two letters I can think of immediately where I have made good, constructive recommendations to the Minister. He has written back to me and thanked me for them, thanked me for bringing it to his attention, said he would have his department look for a legal opinion, and informed me of that legal opinion. He is being very unfair in his criticisms, and it is really not called for. I hope he takes that in the constructive way that I am extending it across the floor to him.

I would like to know why the terms of reference are causing a problem now? Were they not completely agreed upon when the Commission was first established?

29 The Legislature was told that CYI and YTG had sat down and agreed upon the terms of reference and they were satisfactory to all. Can the Minister say whether that is true or not true, or was there some disagreement at that time?

Hon. Mr. McDonald: The terms of reference were negotiated. They were not agreed to out of thin air. There was a period of negotiations that lasted approximately a year. The terms of reference were agreed upon. The emphasis of the dispute is the interpretation given those terms of reference by various Commissioners.

Mrs. Firth: We know what the problem is now. It has to do with interpretation. Is the Minister prepared to change the chairperson?

Hon. Mr. McDonald: That would be premature at this time. As I mentioned at the outset, there have to be some reasons for terminating a contract under the contractual terms under which the contracts were signed. Otherwise, I am sure that we may be liable for some sort of retribution through legal action.

I would like to use the opportunity of the next few days to discuss with the principles the concerns that they are expressing, with a hope to salvaging the Commission. If we were to do rough surgery on the Commission without being fully aware of the ramifications, there may not be enough goodwill left in some quarters to support the intent of the Commission, and we might have to seek other ways of pursuing the studies on native education.

I would like to do it through negotiated settlement, if that is at all possible. I do not think the problems are personal. I do not think the problems are insurmountable. Once that option is tried through negotiations, then we will be in a better position to see whether or not the firing of the Commission chairman is the best route.

Mrs. Firth: That brings me to another question about the chairman and the two Commissioners and the contractual arrangements. The Minister has partially answered the question. My concern was that, if he does dismiss the chairman, did that mean that we would still have to pay the chairman that salary for the nine months — or whatever the term of the Commission was to be.

I recognize that the executive director's position for \$50,000 was advertised in the newspaper and was a Public Service appointment and that a competition was held. What process was used to appoint the chairperson and the two Commissioners? They were not jobs that were advertised in the newspaper. How were they hired?

30 **Hon. Mr. McDonald:** The Commissioners and Chairperson were chosen through negotiations between the Yukon Government and the Council for Yukon Indians.

Mrs. Firth: I would like to ask the Minister if we could have copies of the contracts for the Chairperson and the Commissioners please?

Hon. Mr. McDonald: Very easily.

Mrs. Firth: I have a few final questions regarding the

Commission. The Management Committee that was formed, I believe, has YTG and CYI representation on it. Who are the representatives? Is it the Minister and the member from CYI responsible for Social Programs, Mary Jane Jim?

Hon. Mr. McDonald: That is correct.

Mrs. Firth: Could the Minister tell me exactly what the function of the Management Committee is? It was not explained in the correspondence I received from the Minister.

Hon. Mr. McDonald: The Management Committee's function is to review the activities of the Commission from the standpoint of disseminating information from the Commission to the Council for Yukon Indians on the activities of the Commission. It is not meant to provide a directive role or direct the activities of the Commission. The activities of the Commission were supposed to be directed through the terms of reference. Concern had been initially expressed that neither party should be in a position to manipulate the independent actions of the Commission.

Perhaps Management Committee is a misnomer. It is not meant to manage the Commission, it is only meant to understand what the Commission is doing. As the Member knows, having read the terms of reference, the only ability of the Management Committee to control the activities of the Commission would be if the Commission wanted to rearrange line items within its budget. We established a budget for the Commission which incorporated things like salaries, community consultation, contract services, et cetera and we felt that the only control we would exercise would be if the Commission were to try to change budgetary line items and transfer funding between budgetary line items. We felt it was a necessary control measure but beyond that we were not prepared to manipulate the Commission.

Mrs. Firth: That helps clear up somewhat what the Committee is for, because I understood that the Management Committee was acting in some kind of arbitrating capacity with this dispute. The Minister is telling me that is not the function nor the mandate of that Committee.

Is the Minister alone acting as the mediator or arbitrator in the dispute between the Chairperson and the two other Commission members, and what function does CYI have there?

Hon. Mr. McDonald: I am not acting alone as mediator. The Vice-Chairperson for Social Programs for CYI acts in concert with me and we approached the Commission jointly.

Mrs. Firth: Does the Minister have a time period in which he has been asked to respond within to the resolution that was presented by CYI and the chiefs?

Hon. Mr. McDonald: No deadlines have been communicated to me. We would like to resolve this as soon as we can.

Mrs. Firth: I wanted to ask some final questions about the independence of the Commission and just how dependent it is going to be. I wonder if this is not some of the area where the interpretive problems lie.

I understand from the Commission being independent that that would allow the committee to speak totally independent of CYI or of the government, and that they could speak without any biases and so on. Do I understand correctly the mandate of the Commission in its independence?

Hon. Mr. McDonald: Yes. The original intent of the terms of reference, in establishing an independent committee, would be that if there were recommendations through community consultations that could conceivably irritate either the Yukon government or CYI, there would be no ability by either party to manipulate or to change recommendations by the Commission. There was a desire to have an independent analysis done of native education in the territory and that that independence could not be challenged either through the operations of the Committee or through an attempt at manipulation on the final recommendations.

Mrs. Firth: With respect to the final recommendations, or analysis, or report, or whatever the Commission is going to do to present to the government and CYI, will the Commission have the independence to do their analysis and have it printed and given to the government and CYI, without any interference or prior approval to going to printing from YTG or CYI?

Hon. Mr. McDonald: That is correct. The report will be

completely of their own creation. Management Committee, CYI and YTG will not attempt to manipulate the findings of this Commission in any way.

Mrs. Firth: Is the Minister confident that, even though the Commissioners and the chairperson have some interpretive disagreements, that they are going to get a report that will be able to be tabled if that exists?

It sounds pretty hopeless because of the interpretive problems.

Hon. Mr. McDonald: I guess my response could be characterized that I am desperately hopeful that the Commission can make useful recommendations and will have the confidence of the Yukon community throughout their study. I am hopeful that, knowing that the three persons who were originally chosen are astute individuals who are personally concerned about native education, they will understand the situation and be able to respond positively to it by agreeing to resolve differences. If that cannot be done, any solution that we do find I hope can be negotiated in a civilized way and in the interests of native education in the territory.

Mrs. Firth: That is my concern exactly. We had the Commission go to some of the communities. The response has been very enthusiastic and very positive. I hope that the Commissioners are the quality individuals that the Minister has expressed, and I have no reason to doubt that they are. I know all of the individuals, and I believe that they are.

My concern, and the concern on this side of the House, is that the Commissioners and the chairperson take into first account the native people, particularly the children who are to be benefitting from this Commission. Hopefully, they can come to some agreement about their differences so that we can preserve the integrity and the independence of the Commission and come forward with some honest, forthright, well expressed criticisms, recommendations or identifications of shortcomings so that we are able to utilize the efforts of the Commission for the benefit of all Yukoners, not just the Indian Yukoners.

Mr. Lang: I would like to pursue another policy issue that is a question dear to the heart of the Minister, and that is the question of school busing. Back in July of 1985, there was a fair amount of debate about the school busing and what was going to be available within the 3.2 kilometre area of the schools.

The Minister of the day informed me that there was going to be a twelfth bus put on and that would meet at least the primary to grade three level. In the area where I live, there are not that many street lights, and we are that far away from the school. It is just within the 2.5 mile radius. Was that bus put on, and is it still on?

Hon. Mr. McDonald: That bus, plus two more, were put on in the Whitehorse area to accommodate busing difficulties as identified by a school busing committee, which is made up of representatives of each school in the Whitehorse district as well as Department of Education staff. They meet regularly to discuss scheduling and general busing problems. That had not been created at the time the Member was referring to, but was, I think created, this year. I will have to check that. As a result of those deliberations, that bus, as well as others, has been added into the Whitehorse system.

Mr. Lang: I am not going to pursue it, in view of the statements that are on the record. I will get that information to see if the situation is as the Minister deems it. All I know is that I had a number of complaints with respect to the fact that there was supposed to be an extra bus available. In the final analysis, that was not the case. I will have to go further on that, but if the Minister assures me that we are up to 14 buses and the demand is being met, then that is fine.

Mrs. Firth: I have reason to believe otherwise and if I find it is otherwise, I will be pursuing it further in the course of discussion. It is a legitimate concern that has been raised by a number of people in my area. We will just see where it goes from there.

Hon. Mr. McDonald: All I want to say is that if the Member is receiving any complaints about scheduling, all he need do is communicate them to me or to the representative on the school committee in his constituency who sits on the busing committee that decides such things as scheduling. They have made some recommendations about increasing busing complement in Whitehorse in

order to handle the numbers of students who are using the buses, and the government has responded favourably to the recommendation so far.

Mr. Lang: Could the Minister elaborate on that? Are they asking for less busing? Is that what he is trying to intimate to me? I would like to hear the last part of his comments again.

Hon. Mr. McDonald: I wish the busing committee would come back and say we can provide a better service with fewer buses. They have not done that so far. They have made recommendations for more buses, and the government has accommodated them to this point. We have been able to find sufficient resources to add buses.

One of the things that did assist us was that Diversified Transport, the busing company that provides the buses for most of the territory, came in with a proposal for a very limited or no increase for this year for the existing bus complement. That has allowed us, through careful budgeting, to expand our services.

Mrs. Firth: In the Minister's responses last week regarding the increase in the O&M budget, he made reference to people working in the administrative support area of the Yukon Hall operations and Yukon College. He talked about a Cultural Clerk for continuing education. Can the Minister tell me what that is? He made reference to an Admissions Clerk, Student Services and a Cultural Clerk for Continuing Education. I would like more specifics on what a Cultural Clerk is. Is it a new job?

Hon. Mr. McDonald: I must admit I do not enunciate my words clearly many times, and this sounds like one of those times. I know of no Cultural Clerk at Yukon College. I did speak of an Admissions Clerk for Student Services and a Clerk for Continuing Education, but I do not remember stating anything about a Cultural Clerk.

I am sure the officials were listening in, and if they had heard me say "Cultural Clerk", I am sure they would have corrected me immediately.

³⁴ I do not recall and have no knowledge of the cultural clerk.

Mrs. Firth: It is in *Hansard*, November 27, 1986, on page 77. It was Mr. McDonald responding to Yukon Hall operation. He talked about the 10 contract casual positions that had been converted to permanent ones, and that it is technically person years, and although there are no new people working for the government. There are an additional two people in the administrative support area: an admissions clerk in student services and a cultural clerk for continuing education.

It was a position I had never heard of before. That is why I am asking.

Hon. Mr. McDonald: I am sure the Department of Education has never heard of it either. The two people that I spoke of are an admissions clerk in student services and a clerk in continuing education. I understand that there were a couple of typographical errors made in the next paragraph or the following paragraph. If the Member would like to look through it quickly, I can indicate to her where those are. We did not pick them up in time for any revisions of *Hansard*, but the 12.5 ought to read 12.75 in the paragraph immediately following the paragraph she just cited. In the paragraph after that, in the second line, it says 8.4 persons; it ought to be 3.4 persons.

Mrs. Firth: I would like to make a request to the Minister that next time something like that happens — he has lots of staff up in his department — could they please just drop us a note or give him a paper with the corrections on it to give to us immediately. I do not know that if I had never asked the question the correction would have been made or not.

I am sure the Minister would have been forthcoming with the correction. Far be it for me to accuse otherwise. However, we have drawn it to his attention.

What is the clerk that he now refers to for continuing education going to be doing? What kind of a clerk is it?

Hon. Mr. McDonald: It is primarily for typing and general administrative duties.

Mrs. Firth: So it is an administrative clerk then, I understand?

I would like to ask a broad question about the impact of these additions on the next O&M Budget. There has been quite a large amount of money requested for the Nisutlin Campus. I recognize

that that will be transferred over in 1988 when the new college dormitory is built. There will be some exchange of funds and some moving around of monies. There is \$205,000 covering the costs for the Nisutlin Campus. The use of the contract employees at the college, the conversion of the contract positions to full-time, I understand that the amount of this budget represents approximately \$376,000. Would that be for the remainder of the year? What impact is that going to have on the next O&M Budget? I would like to know if the department has done a review and the Minister can respond as to what the impact is going to be. Is it going to increase the next O&M Budget by a significant amount of money?

³⁵ **Hon. Mr. McDonald:** To respond in general terms, the ongoing commitments that this would entail have been calculated and would be reflected in next year's budget. That is true for both the administration personnel, instructors and community learning centre personnel. It would not be true of the funding for Nisutlin Campus, because the funding for Nisutlin Campus would continue until such time as people would be moving into the new college.

Mrs. Firth: That is my concern. I recognize that long-term costs must have been done. When Management Board is asked to approve a new program, or an extension of a program, or a new policy, you have to do some cost implications.

The cost of the instructional services — the increase in personnel in instruction and administration — amounts to \$376,000. Is that an amount just for the remainder of this year? What is the amount for a full year?

Hon. Mr. McDonald: My understanding is that it was for the greater portion of the year. I will have to check with the department as to what the specific figures were for a full year. I will do that immediately.

The government was fully aware of what the costs of this exercise were going to be and recognized, up front, that this was a priority for the government, and decided that funding in this area would be given priority. We felt that maintenance of the contract personnel at the college was not fair to the personnel and not fair to the college as an entity itself. We undertook a review of the personnel at the college and determined that there were some minor enhancements that should be made to bring it up to snuff. We felt that because it was a priority, that we would put the resources behind it.

It is important that looking to devolve the college to an arms length relationship with government, that it would be necessary to devolve a healthy body that had enough resources to do a proper job for the territory. Those are, generally speaking, the main reasons for this exercise.

³⁶ **Mrs. Firth:** I do not dispute with the Minister his reasons for doing it. I simply want to know how much it is going to cost. Then we can compare philosophical priorities, and so on, later. I would like to know if the Minister can give me a percentage impact that the initiatives in the supplementaries estimates is going to have on his next O&M budget.

Hon. Mr. McDonald: As I indicated to the Member that information will be forthcoming shortly. This represents a ratio of the funds for the total year, I believe. If I am wrong, certainly the department will correct me, and I will get the total dollars for the Member.

Advanced Education and Manpower in the amount of \$763,000 agreed to.

On Policy, Planning and Evaluation in the amount of \$403,000.

Policy, Planning and Evaluation in the amount of \$403,000 agreed to.

Mrs. Firth: Just before we clear the total item, the Policy, Planning and Evaluation is for the Indian Commission. Once the Commission has completed its job, does its contract expire in April, 1987 when the government is expecting a report to be done? Or will the government have to look at ongoing costs and possibly continue the Commission in the next operating budget?

Hon. Mr. McDonald: The Member is right. The contract does expire. There are no continuing obligations of a financial sort to the Commission. Any fulfillment of recommendations would be identified in other budgets, more than likely not in this coming budget, because the Commission will provide us with recommendations once the budget is over. More than likely, it will not be until the

budget for the coming year has been scrutinized by the Legislature. Once the Commission reports, that is the end of the financial obligation from this government.

Advanced Education and Manpower in the amount of \$1,166,000 agreed to.

Chairman: The only other department in the O&M votes is the Renewable Resources, which appears on page 17. We will continue with that following a 15-minute recess.

Recess

³⁷ **Chairman:** Committee of the Whole will now come to order. Renewable Resources, general debate.

On Renewable Resources

Hon. Mr. Porter: My understanding is that we are debating Schedule 1 of the Act, which stipulates \$552,000 in expenditures by Renewable Resources under the O&M Vote.

By way of explanation of the particular subject that is now before Committee for debate, what has occurred is that Canada and this government have signed an agreement this summer. It is a two-year agreement and the contents provide funding to this government in the neighbourhood this year of \$801,600 and for 87/88 the funding will be \$839,700.

The \$552,000 before the Committee for discussion breaks down as follows. The expenditure is for the implementation of the COPE Agreement. Our responsibilities under that agreement and the costs are totally recoverable from the federal government as a result of the agreement, so the federal government in that sense will be paying for the Yukon government's responsibility under the legislation to implement those sections of the COPE Agreement that affect us.

The budget breaks down as follows: \$18,900 for the Environmental Screening Committee; \$13,500 for the Environmental Review Board; \$45,800 for the North Slope Wildlife Management Advisory Council; \$116,000 for Wildlife Research; \$9,700 for Research Advisory Council; \$132,500 for Implementation Co-ordination Secretariat; North Slope...

Mrs. Firth: On a point of order. Since the Minister has not provided us with any prior information to this debate, could he extend us the courtesy, please, of going a bit slower with this list of amounts that he is reading out. Could he please start at the beginning?

Hon. Mr. Porter: Taking it from the top, the numbers I was talking about for the Environmental Screening Committee, \$18,900; for the Environmental Review Board, \$13,500; for the North Slope Wildlife Management and Advisory Council, \$45,800; for the Wildlife Research North Slope, \$116,000; for the Research Advisory Council, \$9,700; for the Implementation Co-ordination Secretariat, \$132,500; for the North Slope Conference, \$41,000; and the rest is for Herschel Island.

³⁸ **Mr. Phelps:** Is that what we get by way of explanation? Does the Minister intend to give us some information about how things are going with regard to implementation of our obligations as a territory under the COPE settlement?

Hon. Mr. Porter: The big hold-up with respect to the implementation always has been the federal Treasury Board's consideration of the amount of money that is needed by this government. We have an agreement, so now it is full bore with respect to implementation of these areas. We are satisfied that we have the agreement in place, and we have the necessary funding to carry out our responsibilities.

Mr. Phelps: Perhaps the Minister could advise us just exactly what steps were taken, first of all, to determine the amount needed, namely \$552,000?

Hon. Mr. Porter: Like anything else in the operation of the department, the request would have gone to the various directors who would have responsibilities under the terms of the agreement. They would, in time, respond, and we would put together a position and bring it to the table for negotiations with the federal government. The \$552,000 reflects the agreement that we have achieved with the federal government on the O&M side.

Mr. Phelps: Perhaps we could be advised as to who is actually doing the negotiations, just what table the negotiations took place around and where?

Hon. Mr. Porter: The Director of Policy and Planning.

Mr. Phelps: Is that for the department?

Hon. Mr. Porter: That is right.

Mr. Phelps: The first item that you mentioned has to do with \$18,900 for the ERP process, the screening. Can we be advised as to what individuals have been recommended for appointment to that process?

Hon. Mr. Porter: The Environmental Screening Committee is the committee the Member is addressing. Our representation on that committee is the Director of Policy and Development in the department.

³⁹ **Mr. Phelps:** What steps have been taken to implement that portion of the COPE agreement? Have the other members been named yet, from the other parties — the federal government and the claim group? If so, what steps have been taken to set up a secretariat?

Hon. Mr. Porter: Yes, the other parties to the agreement have been named. As the Member knows, Canada has the right to name the chair and they have done so. The chair of that committee is Mr. Ewing Coddle, as nominated by Canada.

Mr. Phelps: With respect to the secretariat, has it been set up yet?

Hon. Mr. Porter: With respect to the secretariat, is the Member directing a question on the implementation and coordination secretariat?

Mr. Phelps: I am asking my question with respect to the function of the screening committee. As I recall the agreement, it provides for the necessary secretariat to be put into place. I am wondering whether or not it is a functioning unit yet, with secretaries, office, phones.

Hon. Mr. Porter: I have a copy of the agreement, and I am unable at this point to find a reference in the agreement to a secretariat to the environmental screening committee. With respect to the question as to whether or not the committee is functioning, the answer is in the affirmative.

Mr. Phelps: If the committee is functioning, does it have support staff, or what I referred to as a secretariat? Is there support staff? Is there an office? Is there a telephone?

Hon. Mr. Porter: Our representative on that committee has indicated that yes, there are support staff being provided and they are functioning.

Mr. Phelps: Can you advise where that office is with respect to the review committee? How long has it been functioning?

Hon. Mr. Porter: With respect to the specifics of the question, I will delay answer for a few minutes until we get the specific information regarding the staff allocation and the location of the office.

⁴⁰ **Mr. Phelps:** While that information is being sought, perhaps we could hear something about the issue as to exactly what projects have come under review by this committee since the COPE act itself was passed through parliament and promulgated and thereby became part of the Constitution of Canada — I believe it was June of 1984 — and I know there have been some very important applications certainly proposed in the public domain with regard especially to two different proposals regarding a port on Yukon's North Slope. Have any applications such as these been funneled through to the Committee for review?

Hon. Mr. Porter: In response to that question, the Committee has dealt with the Amaulikak extended test flow and the tests have been taken apparently and have been sent out for technical examination. The Monenco proposal was referred to the Environmental Review Board.

Mr. Phelps: You are saying that it was referred to the Environmental Review Board by the screening committee, is that the answer?

Hon. Mr. Porter: The answer is yes.

Mr. Phelps: I do not believe I heard what happened with regard to the Kiewit proposal. Has that gone before the screening committee?

Hon. Mr. Porter: The information that I have does not suggest that the Kiewit proposal has gone before the committee.

Mr. Phelps: Does the screening committee take an interest in issues relating to the port at Pauline Cove and potential uses by exploration companies such as Gulf for wintering their supply vessels?

Hon. Mr. Porter: That issue has not been addressed by the committee.

Mr. Phelps: Is there any indication as to whether or not the committee will be requiring companies that wish to utilize Pauline Cove for the uses authorized under the act demanding that they will have a chance to screen out intended uses of Pauline Cove?

Hon. Mr. Porter: As I have indicated, we have no information that that particular question is being addressed by the committee.

With respect to the other question regarding the secretariat support staff, my information is that an individual has been hired by the Inuvialuit to support the work of the screening committee. That individual is working out of the regional council office of the Inuvialuit in Inuvik.

Mr. Phelps: Does the hon. Member know whether or not the cost of this person is being funded by Canada in the same way as the \$552,000 implementation monies are?

Hon. Mr. Porter: The answer is yes.

Mr. Phelps: Is this secretariat working out of the regional offices of COPE in the Northwest Territories also responsible with respect to duties for the environmental screening committee, which pertains to the Northwest Territories' side of the border on the North Slope?

Hon. Mr. Porter: The answer to that question is yes, as well.

Mr. Phelps: So that is one secretary, one phone number and one office for the two committees?

Hon. Mr. Porter: The information I have is yes.

Mr. Phelps: With respect to members on the Northwest Territories' counterpart, we know that Yukon does not have a voice by rights on the committee, but are the members from COPE, the claimant group and the federal government and the chairman all common to both screening boards?

Hon. Mr. Porter: No. Our representation on the environmental review board is different. Mr. Stutter is the representative from the Yukon. The committee chair for that is Carson Templeton.

Mr. Phelps: I thank the Member for that answer. That was not the question. What I really wanted to ask was with respect to the screening committee, whether the representatives from Canada and COPE were the same on the Northwest Territories' screening committee as on the Yukon one.

Hon. Mr. Porter: The answer to that question is yes.

Mr. Phelps: Has the government been approached by potential applicants in the North Slope that may be reviewed by the terms of the COPE agreement under the screening committee? In other words, are there any applications coming forward that have not been received by the board yet?

Hon. Mr. Porter: My office has not been approached by any applicant who proposes to do any development. The economic department of the government may have received representation in that regard, and I will undertake to have officials discuss with my officials as to whether or not they have received any applications of that nature.

Mr. Phelps: Is the \$18,900 solely for wages and travel of the Yukon representative on the board, or are there other costs rolled into that figure?

Hon. Mr. Porter: Most of the costs are for accommodation, airfare and per diem; however, there is an \$8,000 aspect of the \$18,900 that is allocated for analysis of project proposals that come forward.

Mr. Phelps: Who would the \$8,900 be paid to in order to do the analysis; government employees, the Government of Yukon or whom?

Hon. Mr. Porter: It would have to depend, to a large extent, on the nature of the project proposals brought forward. It would be our position that should a project proposal be considered by the board and, if there is an analysis required, we would seek the necessary expertise in the area in which the project is being brought

forward. We would be looking at contracting if the expertise does not exist in government.

Mr. Lang: I am a little confused here. Is this not money that has already been spent, at least in good part?

Hon. Mr. Porter: No. For example, the North Slope Conference has not been held. For the most part, this money has not been spent, and we are talking about money for between now and the end of the fiscal year. There have been delays in getting the COPE implementation off the ground. The Environmental Steering Committee has only met four times this year. We did not sign the agreement with Canada until this summer.

Mr. Lang: How much of this money has been spent to date?

Hon. Mr. Porter: I will take that question under advisement and have a specific response for the Member.

Mr. Phelps: I would like to move onto the next issue, which is the \$13,500 for the Environmental Review Committee. The Member has already told us that Mr. Stutter is a member on the committee, and the chairman is Carston Templeton from Winnipeg. Can we be advised as to whether or not there is an office set up and secretarial staff and a phone number? If so, when and where?

Hon. Mr. Porter: Earlier, I had informed the Member that the secretarial services for the Environmental Review Board and the Environmental Screening Committee are being performed by one individual.

Mr. Phelps: Is that one individual performing on behalf of the counterparts of these two committees for Yukon that exist for the Northwest Territories' side?

Hon. Mr. Porter: It is the same individual who we talked about earlier, being located in Inuvik, being paid for by Canada and, yes, the individual does serve both committees on a secretarial basis.

Mr. Phelps: Can the Minister advise as to what potential development proposals have been reviewed by the committee and what ones may be under review at this time?

Hon. Mr. Porter: My understanding is that the Monenco Interlog proposal is before the committee.

Mr. Phelps: Is there any indication as to the timeframe for it getting through this phase?

Hon. Mr. Porter: No, at this present time we do not have any indication as to when a decision will be rendered on that particular proposal.

Mr. Phelps: Is that the only proposal that has been before the board since it was implemented?

Hon. Mr. Porter: Yes, that is the only proposal.

Mr. Phelps: With respect to the \$13,500, are we to take it that that is for per diems and travel for the members? Is there anything else rolled into that amount?

Hon. Mr. Porter: Aside from travel and per diems, there are also some research dollars provided in this budget as well. That amount is \$2,400.

Mr. Phelps: Can we be advised as to why there is need for a sum such as \$2,400 to be provided? Is it because the Member may require independent advice from time to time from the Board? Or is this for research from the Government of Yukon that is going to be provided to the Board at large?

Hon. Mr. Porter: The provision of the necessary research dollars that has been discussed is to provide our member to the committee to an independent analysis separate from what other members would receive.

Mr. Phelps: It seems that rather a paltry sum. How was the figure arrived at?

Hon. Mr. Porter: It was a figure that was estimated within the department as being necessary, and it was forwarded for negotiations.

Mr. Lang: Where does the Government of the Yukon come in with their policy position vis-a-vis the Board? Does the government not take a position on the proposed port on the North Slope, or are we going to leave it strictly to an independent on the Commission? Will it stop there?

Hon. Mr. Porter: Under the agreement that facilitates the implementation of the COPE Agreement, there will be a public process by which interested interveners would be allowed to come

forward with their positions. It would follow that should the Government of the Yukon be taking a position on a project, it would have the ability, like any other member of the public, to forward its position.

Mr. Lang: It would seem that we, the Government of the Yukon, would have a responsibility to let its member know what the position of the government is. Is it not the policy of the government to advise the member appointed by our government of the policy so that it is brought up for discussion, rather than leaving someone with \$2,400 looking for independent advice?

Hon. Mr. Porter: These Boards are set up to function as independent review boards. Any members who are appointed by us, who wish briefing about the government's position will be given it.

The public consultation process would be the most appropriate process by which this government can deliver its position on a proposal that is before the committee.

Mr. Lang: Just following up on the Leader of the Opposition, have you taken a position with respect to the proposal that is now under consideration by the board, or are we just going to forget about it?

Hon. Mr. Porter: With respect to the Monenco Proposal, I am not in any position to articulate a government position on that. That question would be more appropriately directed to the Minister responsible for Economic Development.

Mr. Lang: Which government?

Hon. Mr. Porter: The question is obviously requiring the position of this government, so the response to the question was in that line. It would follow that if the question is asked as to which government discussion had taken place would be concerning this government. My understanding is that the Minister of Community and Transportation Services is the individual who has specific authority to represent this government's interests on that particular proposal.

Mr. Lang: What is the government doing with respect to this now that we have gone from the Minister of Economic Development to the Minister of Community and Transportation Services? Maybe the Minister of Community and Transportation Services would like to enlighten this House on the policy on the Northern Yukon.

Hon. Mr. Penikett: With respect to the one proposal that is before the committee now and with the information such that is available at the moment, which is not in great detail, we are analyzing it and developing a position. It involves several departments but the lead agency, because in the end ports is a transportation issue, is the Department of Community and Transportation Services, but it will also, of course, involve Economic Development and other departments as we go. To my knowledge, and if I am correct on this, the detailed information we have before us is not a great deal of information from the company yet, beyond the proposal as was originally made public quite awhile ago.

Mr. Lang: Maybe the Minister of Community and Transportation Services could tell us when a definitive decision is going to be taken by this government, because it is governments that are either going to encourage or discourage development. I would like to know whether the philosophy of the government is to encourage or discourage development of the North Coast.

Hon. Mr. McDonald: There are a number of factors to consider in wholeheartedly endorsing port development on the North Slope. One of them has to be if there are good economic reasons to support North Slope development. It appears, through discussions with the Canadian Coast Guard, that they are developing an ice breaker that does not require stopping in at any port in order to do its duty in the north. Secondly, ongoing discussions with the oil industry indicate they are not prepared to support any port development or any new infrastructure development until such time as the price per barrel of oil increases to at least \$22 per barrel. So firstly, I think there had better be some indication there are good economic reasons for support of an extensive infrastructure otherwise the governments, including this one, would be more than likely subsidizing its continued existence, with no good economic reasons for its initiation in the first place.

⁴⁶ We are, and have been, reviewing those developments on an

ongoing basis to date. We will continue to do so. There is a plethora of information on port development on the North Slope, and we are weaving our way through it at the present time.

Mr. Lang: Is the department the one that is going through this exercise, or is it a consultant who is hired to go through this vast amount of material that the Minister has indicated is being reviewed?

Hon. Mr. McDonald: It is a combination. I am not personally aware of a consultant doing the particular work but, if that is important to the Member, I can find out for him. I know that the department, itself, has been monitoring certain activity on the North Slope with respect to potential users of the port, in order to ascertain any justification for the port. There is also a very important consultation that has to be undertaken with the community of Old Crow, with respect to development of that sort there.

Mr. Lang: He said there was a combination of consultants and government review going on. Would he like to elaborate further on that?

Hon. Mr. McDonald: I told the Member that I would be taking the question under advisement. I told him that I did not know the details and I will have to come back with those details. I do not have them at my fingertips.

Mr. Lang: Would the money for this kind of a review be coming out of this budget, or are we looking at other budgets within the YTG? If we are, to what extent? It is very confusing for us on this side to try to find out how the money is being spent, especially if we do not have access to a lot of it.

Is that over and above the amount of money that we are talking here and, if so, could he get the amount projected, as far as costs are concerned and that type of thing?

Hon. Mr. McDonald: We are not even reviewing my estimates here. Community and Transportation Services is asking for no money on the O&M side. There is only the Capital requirement to continue the Local Employment Opportunities Program.

I have no budget information of that sort in front of me, but I will undertake to provide the information to the Member. The Department of Community and Transportation Services is not requesting further O&M funding.

Mr. Lang: I am happy to pursue it in Question Period or some other place. It just seems to be such an overlapping. The Minister of Renewable Resources is the one who referred to the Minister of Economic Development, who referred to the Minister of Community and Transportation.

To put the onus back on this side, we are directing the questions where they should be directed, the way I understood by the response of the Minister of Renewable Resources. Part of his department is involved in this overall study, and he is involved as well. We would like to know what the government is doing. If they are taking a position, we would like to know what that position is. There seems to be a lack of a position taken on a lot of these issues.

⁴⁷ **Hon. Mr. McDonald:** Mr. Chairman, I do not think that you are involved in the study despite the Member's contention to the contrary. I have indicated to him that I will come back with necessary information as to who has personally been involved in the review and analysis of King Port options and let the Member know.

Mr. Lang: Just as importantly, we would like to know if a policy position has been taken? If it has not, we would like to know when a policy position is going to be taken. We cannot end up in this never-never-land. We seem to be spending hundreds of thousands of dollars on consultants, and nobody makes a decision. I think that is the point we are making. The Minister of Economic Development was quite right. We are dealing with a report here that is almost a year old, but no level of government has taken it upon themselves to take any decision. I see the Minister wrestling with his chair. It would be interesting to see if he can get out of it to respond. As an observation, I look forward to another consultant's report, who it is, and just what the results are. Hopefully, some day the government will take it upon themselves to make some policy decisions.

Hon. Mr. McDonald: In fear of receiving wrath from my colleagues for participating with the Member for Porter Creek East in what is essentially not up for discussion here with respect to

Renewable Resources estimates, let me just say that, at this time, there appears to be no economical justification whatsoever for the creation of a port, either from the perspective of Coast Guard Canada or from the perspective of the oil industry. If the Member wants a definitive position right now, the government is not at all interested, at the present time, of putting a port onto the North Slope. There is obviously no economic justification whatsoever for the creation of that port and the heavy infrastructure costs that would be entailed.

Mr. Lang: Could the Minister of Renewable Resources, in view of this new information that has been provided to the House, tell us why they are discussing the port at all if there is no justification for it?

Hon. Mr. Porter: Should there be a policy adopted with respect to North Slope development, generally and specifically those proponents who have put forward ideas for development, when we have made those decisions, we will undertake to make those decisions available to the public and to the Opposition.

Mr. Lang: Do I take it from the Minister of Renewable Resources that a definitive decision on the development in the North Slope will be made over the course, say projected, of the next six months so that when it does become economically viable for a port, or for development, that the position of the government shall be known? Is that where we are going?

Hon. Mr. Porter: I would not tie myself with respect to the six month timetable that has been suggested by the Member, but I would give him the undertaking that once the government has made a decision with respect to its positions on the various components of the North Slope area, we would make our position known.

Mr. Lang: Is it not incumbent upon the Minister of Renewable Resources, over the next six months, to appear before this review board to put forward a government position so that we know where that side of the House is coming from?

Hon. Mr. Porter: A specific proposal has gone before both the committees. As of yet, I have no information as to whether or not the Environmental Review Board is conducting a public review on the Monenco proposal that would facilitate this government making its views known.

Mr. Lang: Why are we giving money to the committee? The Minister must know what the committee is doing if he is asking us to approve money for them. Should the government not put its position forward clearly, so that it can be considered in the context of all other proposals? Why are we going about this?

Hon. Mr. Porter: The agreement requires the structuring of these committees. It is an act of Parliament that has been put into law. We have been negotiating with Canada to dig up the necessary expenses to facilitate our involvement towards the implementation of the agreement. We have reached an agreement with Canada on the expenditure of dollars, so we are now in the process of putting into operation what is required by legislation.

Mr. Lang: It is one thing to say that it is required by legislation, but is it the intention of the Minister of Renewable Resources, the Minister of Economic Development and the Minister of Community of Transportation Services as a Cabinet to put forward, in the next six months or a year, a definitive position on the development of the North Slope? The Minister of Community Affairs indicates that they are. I want to know: are we going to have a government position?

Hon. Mr. Porter: We will be speaking to aspects of development issues later on in the week. The government will take a position on the North Slope development. Whether or not it will be done in a six month timeframe, and whether or not it will be done in any specific order regarding the various economic development proposals that will be brought forward, will be announced once we have established our position.

Mr. Lang: Could the Minister inform us what is happening over the course of this week that he cannot divulge to us now.

Hon. Mr. Porter: We will be sitting in the House this week and on one issue that relates to North Slope development, a motion has been filed with respect to the House and will appear on the Order Paper Wednesday, and we will have a discussion on a specific issue that relates to North Slope development.

Mr. Lang: I think the Minister has a responsibility to inform the House if the Government is going to take a position over the course of the next six or eight months with respect to the overall possibilities of development of the North Slope, or are we going to do it by order of Motion on certain items in the House? Is that the *modus operandi* of the government?

Hon. Mr. Porter: As issues are brought forward to the government's attention and it is deemed by the government desirable to take a position on that particular item that is before the government, the government will do so and make its decision public.

Mr. Lang: Maybe the Government Leader can inform the House if it is the position of the government that they are going to take a definitive policy decision as far as overall development of the North Slope is concerned within the next six months?

Hon. Mr. Penikett: Yes, we will be taking a position. Whether we will be doing it according to the dictates of the Member opposite in terms of his timetable, I cannot say.

Mr. Lang: To the Government Leader, I was led to believe that it would be advantageous to everybody concerned for the various levels of government to make some decisions in the next six months to a year. Even if it takes a year, two or three years to get up to \$22 a barrel for oil, is it the intention of the government to come forward with a definitive overall policy statement within the year? It is nice to say within the dictates of the Member opposite and it is nice to be sarcastic and try to put the Member for Porter Creek East down, but that is not the purpose for which I am asking the question. I just want to know if it is the intent of the government to develop that position, and, if so, we would like to have an idea of when.

Hon. Mr. Penikett: We will be developing a position, and I cannot tell the Member when it will be ready.

Mr. Lang: Has there been any work done on it to date by the government, and, if so, to what extent?

Hon. Mr. Penikett: Yes, but I do not think it has anything to do with the particular estimate that is before us now.

Mr. Lang: I would disagree with the Government Leader and if he would like to be the Chairman of the Committee, he should ask. I say to the Chairman that we are dealing with the North Slope through COPE appropriations of money, and I recognize the great parliamentarian for what he is. I would ask the Government Leader how much work has been done by the Department of Economic Development, because the Minister of Renewable Resources says all he is doing is appointing an individual and giving him \$2400 to research.

Hon. Mr. Penikett: Some work has been done. The Member opposite will be able to judge how much work has been done when we make our position clear.

Mr. Lang: Can we expect an update on where the government is when we get into Economic Development, or do we stay in the dark like a mushroom until he opens the door?

Hon. Mr. Penikett: Unlike the Member opposite, I will not be feeding the House any mushroom food at all. When we get to the Economic Development Mains on capital, if there are any expenditures involved on this item, I will tell the Member then. I will give the Member some report on where we are on examining this question. If I am going to be living in terms of the final product to the Member opposite's deadlines, no, we will not be.

Mr. Lang: I take it there must have been some expenditures, in view of the fact he said some work has been done. Am I not correct? He almost seemed to say that there was work done, or there was not work done. If we can expect a report in the Economic Development Mains, that is fine.

Hon. Mr. Penikett: As the Member has previously been told, work has been done in Economic Development, work has been done in Community and Transportation Services, and there may have been some thinking done about it in Renewable Resources as well.

Mr. Phelps: Perhaps we could then proceed with the next line item, which is the North Slope Wildlife Committee. Can the Minister tell us the exact figure? Did he say \$45,800 or \$14,000?

Hon. Mr. Porter: The number that I quoted was \$45,800: air fare, accommodation, research, legal advice and honorarium for the

members; with respect to research and legal advice, \$13,000.

I have some additional information with respect to the North Slope Wildlife Management Advisory Council. We have nominated the two members that we are required to nominate under the COPE legislation. They are the director of wildlife for our government, and a member of the Old Crow community, Mr. Stephen Frost.

Mr. Phelps: Can the Minister advise us as to whether nominations have been forthcoming from the other groups to be represented on the committee?

Hon. Mr. Porter: Yes, the nominations of the other groups have been processed.

Mr. Phelps: Can we be advised who those individuals are?

Hon. Mr. Porter: With respect to the nominees of the other jurisdictions, I do not have that information.

Mr. Phelps: Since wildlife is one of the areas that is within the jurisdiction of Yukon under *The Yukon Act*, Section 17, and a very important area of constitutional authority for this government, can I take it that it is the intention of the department to take the lead role with regard to this committee?

Hon. Mr. Porter: That is correct. We argue that we have constitutional authority with respect to the management of game in the Yukon, and it is our intention to take the lead role with respect to initiatives in this particular area. Unfortunately, because of the inability of the parties to agree on a chair for this particular committee, it has been inactive.

Mr. Phelps: That is interesting. How long have attempts been made to agree on a chair for this committee? Can we be advised as to which of the other two parties are not able to come to grips with the proposals put forward so far?

Hon. Mr. Porter: It has been several months. We have nominated Mr. Stephen Frost from Old Crow to be the chairman of the committee. We have received a negative response from the Inuvialuit with respect to his assuming the chair. To complicate things even further, it was only last week that the federal Minister of the Environment, Mr. McMillan, wrote a letter to me and basically took the position that Canada would support a chairperson of the committee, should the two parties, including the Yukon government and the Inuvialuit, as to who the chair will be.

Mr. Phelps: Is the Yukon government taking the position that they ought to have a more forceful voice in the final decision, given that they represent people who live in Yukon and particularly residents of Old Crow, whereas the other group does not represent any residents of Yukon to my knowledge.

Hon. Mr. Porter: As the Member opposite will clearly recall, inasmuch as he is the man responsible for much of what we are discussing here today, Yukon does have the ability to name the chair, and we have done so. Our position is very clear on that particular issue.

Mr. Phelps: Given that we have the authority and we have named the chair, what is the problem with the other two parties?

Hon. Mr. Porter: I guess the assumption with respect to this particular aspect is that there is a feeling that there has to be consent given to that. That is not particularly my position at this time. The way I read the legislation is that we have the right to name the chair. There may be some legal verification or legal analysis that bears being sought out on this issue, so I will reserve final judgement until I am in receipt of such legal interpretation. Toward that end, I have instructed the department to obtain a legal interpretation as to this particular question, amongst others, regarding COPE implementation.

As it stands now, our political position is that we feel we have the right, under the legislation, to name the chair. We have done so, and we are a bit mystified as to why the federal Minister has written us and told us that he will not proceed with concurrence with respect to our nomination until he has received word that there has been an agreement between ourselves and the Inuvialuit.

Maybe he has sought his own legal interpretation and has developed a position built upon the legal interpretation. I do not know that. Our basic position is that we have the right, and I am double-checking that by asking for legal advice.

Mr. Phelps: We have a keen interest in the nominees to the wildlife committee for our North Slope by different parties. Will the

Minister take steps to inform us about those nominees as soon as possible?

Hon. Mr. Porter: Yes, I will make that information available.

Mr. Phelps: Given that the Yukon intends to take the lead role with respect to the implementation and running of this committee, can we take it that, unlike the other boards, this board will have a secretary based in Yukon?

Hon. Mr. Porter: The intentions of this government and, specifically, of this department, is to provide the secretarial services to this committee.

Mr. Phelps: Will the location of the staff and office be in Whitehorse, or someplace in the north, such as Old Crow?

Hon. Mr. Porter: The intention of the department and the government, at this point, is to favour Whitehorse as the headquarters for the secretariat.

Mr. Phelps: Is the cost of the secretariat included in the figure of \$45,800 given?

Hon. Mr. Porter: No. That cost is not articulated in this area. It is a cost that the government will bear itself.

Chairman: The time being 5:30 p.m., we will recess until 7:30 p.m.

Recess

Chairman: Committee of the Whole will now come to order.

We will continue with Renewable Resources.

Hon. Mr. Porter: Earlier on in the debate in Committee, I feel that I may have left the impression that the Yukon government would be bearing costs for the secretary and support staff from funds other than what have been appropriated through the resulting negotiated agreement between ourselves and the Government of Canada. To set the record absolutely straight, as I mentioned earlier in my opening remarks, there is funding under this agreement for an implementation coordination secretariat to the tune of \$132,500. That secretariat will function to advise the North Slope Wildlife Management Advisory Council.

Mr. Phelps: We will ask questions about that line item when we get there.

Before we do, has anything been set up at all with respect to the secretariat for the Wildlife Advisory Board?

Hon. Mr. Porter: With respect to the secretariat, no. If we are to move to discuss that particular area, we have approval from Management Board for a person year complement. We have approval for six term person years to support the implementation of the agreement. Three of these people will be planners for Herschel Island. The three whom we are concerned with today, in terms of the \$552,000, will be the secretary and staff to coordinate implementation. They will be an implementation coordinator, fish and wildlife researcher and a secretary-treasurer. Now that we have the money and the authority from Management Board, we will be moving toward staffing those positions.

Mr. Phelps: I am somewhat confused. He talks in terms of six term person years and one full-time person year for a total of seven, is that right?

Hon. Mr. Porter: No, that is not correct. There are six. Three of them are going to be dedicated to Herschel Island, and three will be dedicated to the implementation coordination secretariat.

Mr. Phelps: Setting aside the Herschel Island three and, with respect to the implementation secretariat three, he said one was a researcher in fisheries. Who are the other two?

Hon. Mr. Porter: We will be staffing the following positions: an implementation coordinator, a fish and wildlife researcher and a secretary-researcher.

Mr. Phelps: I take it the total salary is, with JES and the point system, percolating right along, for the three to be \$116,000 each year?

Hon. Mr. Porter: No. The Implementation Coordination Secretariat budget allocation from this agreement is \$132,500, of which \$98,000 would be salary. There are additional dollars for travel, for example, of \$12,750; accommodation \$13,500; hall rental \$4,800; and equipment rental and, of course, support services such as advertising, \$2,500.

Mr. Phelps: Is there anything in that budget for office rent?

Hon. Mr. Porter: The thinking at this point is that those individuals will be housed in the current staff facilities at Burns Road.

Mr. Phelps: So the answer is no, you are not charging back any of that rent.

Hon. Mr. Porter: The answer is yes, we are not charging back any rent.

Mr. Phelps: Have there been any meetings with regard to, particularly, the Old Crow Member and our other member and the department with regard to the setting up of the secretariat and holding any meetings?

Hon. Mr. Porter: If the first part of the question is addressed to the North Slope Management Advisory Council, no, there have not been any meetings of that committee because, basically, we have not had an agreement perceived with that particular committee because we cannot get past, at this point, the issue of the Chair for that committee.

Mr. Phelps: Has there been any work done with regard to charting a course for the Wildlife Advisory Board, the kind of direction the Board will be taking, the kind of research it will require of governments, and that kind of thing?

Hon. Mr. Porter: With respect to the specifics of research, that is the next item we will progress to, and it is indicated that we will be spending \$168,000 in that particular area. With respect to the question of meetings among the various players, there had been informal meetings regarding setting up the secretariats and getting people organized and my understanding is that, with respect to the specific committee of the North Slope Wildlife and Management Advisory Council, it hopefully will begin formal meetings by April.

Mr. Phelps: Is there any organized or set structure for interrelation between the Wildlife Advisory Board under COPE and the Porcupine Caribou Management Board?

Hon. Mr. Porter: If the Member will reflect back to the agreement, I do not have the specific section. Concerning the North Slope, it very specifically speaks to the question of the Porcupine Caribou Herd Management Board Agreement. It speaks to the Inuvialuit having certain exclusive rights to certain species of game subject to the Porcupine Caribou Herd Management Agreement, which is an annexation of this agreement. The Member knows what the conditions of the Porcupine Caribou Herd Management Board Agreement are with respect to rights of individuals and the role of governments.

We feel that we have a situation whereby appointing our Director of Wildlife, we do bring a sense of continuity to this whole question, inasmuch as that individual also represents the government on the Porcupine Caribou Herd Management Board, as well as represents the government on this Wildlife Management Advisory Council that we are speaking of in this agreement.

Mr. Phelps: How was the figure of \$116,000 for the wildlife research item arrived at?

Hon. Mr. Porter: The \$116,000 for wildlife research breaks down as follows: we are looking at spending \$60,000 on caribou calving and rutting; doing wildlife population monitoring; the caribou post-calving areas. In addition, there will be some work on the fur-bearer population; moose, sheep and wildlife harvest monitoring will be conducted. We expect to expend \$6,000 doing that work. We will also be conducting inventories on the following species: moose, wolves, bears, muskox and fur-bearers. That will constitute approximately a \$50,000 expenditure.

Mr. Phelps: More than half of the \$116,000 will pertain to caribou, which is really under the ambit of the Porcupine Caribou Herd Management Board. Why is that included in this agreement?

Hon. Mr. Porter: With respect to the awarding of the agreement, it reads as follows: "The council shall provide advice on issues pertaining to the Yukon North Slope to the Porcupine Caribou Management Board." I would suggest that the work that is done in this area is living up to the spirit to the letter of the law of the agreement as it is currently written. That information, according to this section, would be made available to the Porcupine Caribou Management Board.

Mr. Phelps: What portion of the 116 has been spent? This is a supplementary item.

Hon. Mr. Porter: My information is that \$60,000 of this particular item has been spent.

Mr. Lang: Since the Minister seemed to have some information earlier in the debate that I asked for, how much of the total amount of \$552,000 has been spent to date? Perhaps he could elaborate further for the Members.

Hon. Mr. Porter: We do not have a complete rundown on that specific question as it relates to all of these monies here, but I would suggest that the \$60,000 that is represented in terms of an expenditure on this item represents an anomaly inasmuch as it is a heavy expenditure, but it is an area where research has been done on caribou.

As to the question as it applies to the other areas of this proposal, I would suggest that there has been very little expenditure, and we have undertaken to obtain that information for the Members opposite.

Mr. Lang: In view of the fact that he seemed to have a few numbers at his fingertips, I thought that his officials may have gotten the numbers over the supper hour.

Were there any service contracts, or consultant contracts under-gone in the totality of the \$552,000?

Hon. Mr. Porter: Again, there has been very little expenditure of monies in this area. Very few services have been let. There have been service contracts let in the \$60,000 that we have spent on caribou research.

Mr. Lang: Were they for public tender, or were they just strictly invitational tenders, or company-to-government relationships?

Hon. Mr. Porter: My understanding is that funds have been expended in the area of securing aircraft services, charter services and contracts. These have all been let according to the government's contractual guidelines.

Mr. Lang: That leaves it pretty broad, I think it is safe to say. It makes it difficult, from this side, to ask the questions. Just to pursue it further, exactly how much money was let for the service and consultant contracts?

Hon. Mr. Porter: We do not have the specific percentage of the dollars that have been allocated by way of contracts. I would suggest that, of the \$60,000, most of the monies that have been expended in that area would have been by contracts.

Mr. Lang: Since the Member is going to be looking up the total amount of money, would he provide a breakdown of the contract, per se, service versus consultant contracts, the amount and to whom, for the House so that we can look at just exactly how the money is being spent?

Hon. Mr. Porter: I would undertake to give an explanation to the Members opposite as to the breakdown of the expenditure of \$60,000 as outlined by the Member opposite.

Mr. Phillips: Is the \$60,000 spent specifically on the caribou, on the calving and rutting grounds? Is that what the Minister is talking about?

Hon. Mr. Porter: Yes. It is monies that have been spent on a mortality study of the caribou and, to a lesser extent, on moose and wolf surveys.

Mr. Phillips: Do we call into use here the volumes and volumes of studies that have been done on that North Slope? There has been literally millions of dollars spent on the caribou on the North Slope, so why are we spending \$60,000 again if, in fact, that information is already available from CWS or

someone else?

Hon. Mr. Porter: The specific information that we are seeking with respect to the studies that we are conducting has not been provided by other agencies.

Hon. Mr. Phillips: None of the information you received was done by other agencies? You are saying that this is a first? You have gone up there and done something that has never been done before?

Hon. Mr. Porter: With respect to the mortality study of the current herd, yes, the information that we are seeking has not been addressed. With respect to the general question of planning and information studies, the wildlife populations are such that there will always be a need to go up and monitor animal populations — the dynamics of those populations as they interact with other species, man, and any developments that take place in the area. So, I would suggest that research and planning, as it relates to wildlife populations, is going to be an ongoing expenditure that any government has to cope with.

Mr. Phillips: I think that you can overstudy these animals. With respect to Old Crow, the people sometimes think that the reason the caribou have changed their migration patterns is because the biologists are chasing them all over the country studying them to death. Like I said, is there no data? Was there no data collected before about the mortality rates of the caribou on the North Slope?

Hon. Mr. Porter: My information is that there is data on hand that speaks to mortality of that herd by way of human harvest, but there is not any concrete data with respect to natural mortality.

Mr. McLachlan: With respect to the \$60,000 awarded for service contracts the Minister has referred to, is an attempt being made to award that money to Yukon firms? Is that Yukon budget money that is going into Northwest Territorial air charter?

Hon. Mr. Porter: With respect to the way in which those contracts were issued, the information that I have been given is that those contracts have been issued according to the current contract directives established by government.

The Member does raise an interesting question with respect to the economic rights of the Inuvialuit. If Members were to read the particular agreement, it states under Economic Benefits that the parties agree that the predominant number of persons employed in the operation of the management of parks referred to in subsection 5 should be Inuvialuit. The appropriate government shall provide training to the extent that the management regime of the parks provides for economic activities. The parties agree the opportunities should be provided to the Inuvialuit on a preferred basis.

Subject to all applicable laws, the Inuvialuit shall have the right of first refusal with respect to any activities in the nature of guiding related to wildlife within the Yukon North Slope.

Earlier on in the debates, I indicated that I was going to seek a legal opinion with respect to an earlier section of the agreement that was under discussion before the committee. Further to that, I have asked the department to give me a legal opinion as to the ramifications of the economic section of the agreement, and do we see a situation where they would utilize this clause to stipulate that any work that is carried out in the area toward the development of a park, either on Herschel or in the north Yukon, would they be coming at us from a position of saying that they should enjoy preferential economic rights.

That is a very important question. It is a question that I have asked to be researched legally. That would enable the government to establish sound decisions.

Mr. McLachlan: When I used the term "our money", I meant it generically, because one may argue that if it comes back from the federal government's recovery, that it was not our money, anyways.

When does the Minister expect an answer to that legal opinion?

Hon. Mr. Porter: I do not have a specific timetable in mind as to when that will be forthcoming. As the Member can appreciate, when we are at the situation of convening the Legislature and doing the work of the Legislature, the Department of Justice is invariably tied up in dealing with matters that relate to the Legislature. I would suggest that we would probably see some delay because of the current workload the department is receiving. I would suggest early

in the new year we will probably have the opinion.

On the question of economics, a lot of the work to be done up there — with respect to airplane charters — has naturally fallen into the hands of the Inuvik operators, simply because it is more economic for them to fly out of Inuvik to service Herschel Island than it is for someone from Whitehorse to bid competitively on the same contract.

Mr. Phelps: With regard to the monies expended on the Porcupine caribou herd, that raises some interesting questions. Where exactly are the sharing communities under the Porcupine caribou management herd at this point in time with regard to who gets what share of the harvest each year?

Hon. Mr. Porter: The Porcupine Caribou Management Authority is not a matter that is currently before us for scrutiny in terms of expenditure of dollars, but, in the spirit of cooperation, which I think is appreciated by you, I will answer the question, inasmuch as that decision has not yet been reached by the participating communities.

Mr. Phelps: Well, I would point out rather carefully that that issue is of a great deal of importance to us because the said agreement falls under the ambit of COPE and that is why the \$60,000 is recoverable money from the federal government, so I think the area of concern is one which I think we all share. Of course, if there is to be a dispute with regard to sharing so that Old Crow comes up the loser I think all of us, despite party affiliation, want to make sure that the research is such as to support Old Crow's concerns with regard to the one herd in their area that they rely on, unlike the other user communities in the Northwest Territories that have herds well within their reach. Is that not correct?

Hon. Mr. Porter: With respect to the latter part of the statement made by the Member opposite, inasmuch as there are aboriginal groups that are participating in the management of the Porcupine caribou herd, they do, in fact, have other resources, particularly caribou resources, that they can harvest. That part of the statement is correct.

Mr. Phelps: Do any of the monies under the \$552,000 O&M go into the issue of policing whether or not community users from the Northwest Territories are using any of the animals from the Porcupine herd for commercial purposes?

Hon. Mr. Porter: With respect to the Porcupine Caribou Management Agreement itself, that agreement has been struck among Canada, the Northwest Territories and the Yukon, and also the aboriginal user groups. There is very clear language in that agreement with respect to the question of commercial use of the caribou resource. It is acknowledged by the parties to that agreement that the animals that are harvested from the Porcupine caribou herd are not legally to be used for commercial purposes. As to whether or not we would monitor the situation in those communities, I would suggest that we would not enter into any covert action with respect to it. We know where that gets us with respect to listening to the news in the last couple of days. Should an incident be reported to the department that suggests there has been wrongdoing with respect to illegal movement of caribou that come from the Porcupine Caribou herd, we will definitely investigate such accusations should they arise.

Mr. Phelps: I take it then that none of this money for investigating or laying complaints is recoverable from the Government of Canada, in the opinion of the department?

Hon. Mr. Porter: The money for the investigation, should an incidence where somebody reported to us that there has been illegal use of caribou, would come out our normal budget.

Managing and monitoring harvest data would be covered under this agreement, where we can look at the numbers of caribou that have been taken, by which communities, and ascertain any general trends and if there is any shift in use.

Mr. Phelps: That leads us to another related question, because the Porcupine Caribou Herd Management Board, and all its activities, does fall under COPE. They are annexed, and legally, they are part of that constitutional document and Act. Are any of these monies in the \$552,000 related to costs incurred by the Government of Yukon relating to the said Board other than the

\$60,000 for research?

Hon. Mr. Porter: I would think that given the spirit of cooperation that has surrounded the meeting of the Board members, any research that been conducted in this area relative to the North Slope and to the caribou would be made available to the Porcupine Caribou Herd Management Board. I do not think that we can assume that the Board is in any subservient to the regimes established under this section of the COPE Agreement. Rather, I would suggest that we are acting in a situation where the research we gather as a result of expenditures under this agreement would flow to the Board itself, and they would take the action, as opposed to the Porcupine Caribou Herd Management Board responding to, for example, the Wildlife Advisory Board.

Mr. Phelps: That answers part of the question relating to research. Are there any equivalent funds covering costs of the Government of Yukon's share of Secretariat or Board members as we have here — the \$18,900 for the screening committee? Are there any similar funds to be utilized to offset the cost to the Government of Yukon for following their commitment to the Porcupine Caribou Agreement, which is part of the COPE act?

Hon. Mr. Porter: Three jurisdictions have agreed to share the funding, on an equal basis, for the Porcupine Caribou Herd Management Board to conduct its mandate. They are Canada, the Northwest Territories and Yukon. Because we have not had the benefit of the operation of the board itself, we have not specifically got an agreement as to what that share is. We have agreed in principle that the three jurisdictions pick up the costs, and we have agreed to wait a year for the operation of the board to determine what that cost is.

The Government of Yukon will provide secretarial services to the board. We see this to our advantage with respect to being able to provide information to the board, and we argue that the majority of the habitat of that herd is within the jurisdiction of the Yukon.

When we talked about the Yukon secretariat earlier, we talked about the creation of a fish and wildlife researcher being on that secretariat. We would envision a situation where that researcher that is established under that agreement, would liaise closely with the secretary that is set up to assist the Porcupine Caribou Herd Management Board.

Mr. Lang: I want to go back to the question of enforcement with respect to management of the caribou herd and the responsibilities of YTG. It has come to my attention that there could well have been some major contraventions of the *Wildlife Act* this last fall on the Dempster Highway. What is the policy of the government with respect to patrolling the Dempster Highway. If it is the government's position that there are to be patrols, why are those patrols not there prior to the caribou going across the highway as opposed to after?

Hon. Mr. Porter: It is our position that where incidents are reported to the department, we will immediately conduct an investigation, as there has been an incident earlier this fall where somebody reported that there were individuals hunting illegally on the Dempster Highway. We did send two officers to investigate the situation. We did not find, in that investigation, any wrongdoing attributable to any individual or group of individuals.

Patrols are sent in, and they are put in in advance of the caribou coming down. At least in this hunting season, we did have a monitoring of the situation on the Dempster prior to the caribou migrating.

Mr. Lang: It is fairly common knowledge for anybody who was up on that highway, the way I understand it, that there was a fair amount of harassment, to begin with, for the herd, to the point snowmobiles were being utilized in a less than sportsmanlike fashion as far as the harvesting of the wildlife was involved. What I do not understand is that if we were patrolling that particular area, why were there no apprehensions at all? Was anybody apprehended and charged? If not, why not? My information is that what was taking place was fairly blatant.

Hon. Mr. Porter: Seeing as you live adjacent to the area, you would appreciate that the area we are talking about is thousands and thousands of square miles. We are talking about a road system that is in the area of five hundred miles in total length. With respect to

the Conservation Officer positions we have in the Yukon, the probability of a Conservation Officer being present when an infraction does take place are quite remote, given distances and given movements of people.

With respect to the general policy, it is always the position of the government that as soon as we are to understand from work that is being conducted by the biologists in terms of movement of the herd, that the herd will be in a position to be within the Dempster Corridor, we immediately move in to set up the necessary patrols.

On the question of this year, unfortunately because of a change in migration route, for the most extent, the caribou are still not in the Yukon in any substantial numbers. They are in fact in the Alaska side of their habitat. The numbers we have seen this year in terms of harvest data indicate it is way, way down from years of normal operation, where we have seen as many as 300 caribou taken. The last number I heard was that something like 20 caribou have been harvested in the area.

Mr. Lang: I just have to say to the Member opposite that he must think we are awfully stupid. I recognize that there is about 700 miles of highway there, but I also recognize that we do have the capabilities of knowing at least an approximate time of when the caribou herd is coming across the highway and they are located in certain areas. It is not as though it starts at the Klondike cut-off and stops at Inuvik. So I am just going to say to the Member opposite that when the caribou are crossing the highway, and as soon as we were notified of it, it was our thought there should be a patrol up there, at least somebody in the area, so everybody is aware of it. If you do not have anyone in the patrolling area, and obviously we are after the fact, unless there is a report and by that time everybody is gone home, how do we know there are only 20 caribou taken?

Hon. Mr. Porter: With respect to the question of policy relative to the movement of the caribou, I have clearly stated that when we are knowledgeable of the movement of the caribou and when the caribou are in a position to be in the area we, in fact, do send out a patrol to the area.

With respect to the patrols, the times in which people do patrol are from seven in the morning until midnight when there is movement of caribou in the particular area.

With respect to the harvest data, most of the data that is collected is volunteered by individuals in terms of the caribou they are taking. We have had people in the area this fall, and those are the numbers they have produced.

Mr. Brewster: I have been in this Legislature four years, and every year this same thing comes up — the harassment of the caribou on the Dempster Highway — yet every year reports come back to say it is not happening. Surely, these people who have sent these reports in for the last four years could not all be wrong.

Mr. Lang: Why does the government not have somebody for that short period of time stationed right on the border of the NWT and the Yukon to do the necessary inspections as people go across the border, so that we have a pretty good count of the caribou herd, along with the harvesting of the caribou?

Hon. Mr. Porter: The Member has made a representation with respect to improvement of our patrol services. It is definitely one that will be taken under advisement by myself and discussed with the department.

Mr. Lang: Of the 20 caribou that were taken this year — I find it very hard to believe, quite frankly, — I would like to know how many were by Yukon hunters versus people from the Northwest Territories.

Hon. Mr. Porter: I caution the Member as to the total validity of the 20 figure. That was given to me a couple of weeks ago by Wildlife officials. If he wants, I can confirm the exact number. Furthermore, I would confirm as to what the percentage represented by local, as opposed to non-Yukon resident harvest. I think the 20 that I speak of do represent Yukon harvest.

Mr. Lang: So, we do not have any statistics, as far as non-resident hunters are concerned — primarily NWT hunters.

Hon. Mr. Porter: We would have non-resident hunter-take with respect to the outfitters who are registered in the area. Those would be over and above the figure that we are talking about. We do not have information with respect to what has been taken in

other jurisdictions like the Northwest Territories, but we can ask the Northwest Territories what numbers have been harvested by their people within their jurisdiction.

Mr. Lang: I am not talking about the harvest in the NWT. I am asking about Yukon caribou being shot by NWT hunters in Yukon. I want to know what the numbers are. Are they shooting 20? Are they shooting 50? Are they shooting 200, or 300? Or did they take any this year?

Hon. Mr. Porter: I will seek to obtain the information, should that information be available, and make that available.

Mr. Lang: I want to know why it is not available. You have just given me statistics that the Yukon hunters took. We are aware that there are hunters from the NWT coming over. We are getting many reports of them harassing the caribou while they are hunting. How many caribou are being harvested and taken over to the NWT and, perhaps, used for commercially.

Hon. Mr. Porter: I have told the Member that that information is not available. I will obtain the information and make it available to the Member opposite.

Mr. Phillips: Could the Minister check with the officials of his department who are here this evening. I have been in meetings with officials of that department, and they have given me numbers. His biologists have given us numbers of how many caribou have been taken from the Yukon. The wildlife biologist from the NWT goes into the office in Fort McPherson, and the person tells him how many caribou have been taken from the Yukon. The numbers are in question, but there are some numbers available. Is the Minister not aware of that?

Hon. Mr. Porter: I have indicated to the Members opposite that we do not have those numbers in the House presently, and the Member has my undertaking that I will obtain those numbers and make them available.

Mr. Phillips: I wonder if the Minister could give us another undertaking to, next year, stake someone at the border to do an official count of the number of caribou that go through. We are getting a lot of flack from people who are saying that the corridor should be increased, that there is wanton slaughter of caribou on the highway. These are Yukon residents who are supposedly carrying out this slaughter. We have to get a handle on this issue. Can the Minister give us the undertaking that he will endeavour to get this data, not relying on the NWT, himself on the number of caribou that are taken from the Yukon?

Hon. Mr. Porter: I said earlier that the suggestion that was made by the Member for Porter Creek East was taken seriously, and I did give the undertaking to give it consideration with respect to discussions between myself and the department. I would like to express appreciation for the vote of confidence that has come from the side opposite when we do talk about our O&M allocation for the Porcupine caribou.

Mr. Phillips: I have not been in the House very long, but it would sure be nice if the Minister was really genuinely concerned and did not try and play politics with something as important as this.

Hon. Mr. Porter: I do not know from where the Member comes, but I do not see that there is anything to be angry about. They have made a suggestion. I said I would consider it.

Mr. Phelps: Perhaps we could move on to the next item. It is \$27,000 for some kind of research. Could we have an explanation for that?

Hon. Mr. Porter: The \$9,700 we talked about earlier relates to the Research Advisory Council, and this has not yet been set into place. The Research Advisory Council will monitor and coordinate research activities in the Inuvialuit settlement region. The Yukon will be able to, under the terms of the agreement, nominate one member to that council.

Mr. Phelps: Are you saying we have not made our nomination yet?

Hon. Mr. Porter: That is correct. We have not made our nomination yet. There has not been a high degree of priority put on this aspect of the agreement; however, we assume that in the near future the parties will get around to nominating their members and putting forth this particular body.

Mr. Phelps: Could the Minister perhaps advise us as to how the relationship between the parks officials and the Wildlife Advisory Board is going with regard to the establishment of a large federal national park on the western half of Yukon? Is there any resistance to our department carrying on research in the park area? Do they anticipate any such resistance and so on?

Hon. Mr. Porter: I am informed that this particular item has been addressed by the two agencies. In October, there was a coordination meeting between Parks Canada and ourselves.

Mr. Phelps: Moving on to the next item, could the Minister advise us with regard to the \$41,000 for the North Slope Conference? Has that been held and exactly what took place?

Hon. Mr. Porter: The North Slope Conference is called for in legislation. If I recall correctly, there are three conferences to be held. At the conclusion of the third conference, there is a review clause that causes the parties to review whether or not there should be argument for continuation for such a conference. None of three conferences have been held. We envision that the monies that are appropriated here will enable the parties to hold the first such conference. We, to a large extent, would be directly involved in the organization of the conference itself.

Mr. Phelps: Are there any plans as to where and when that conference will be held?

Hon. Mr. Porter: The language in the agreement states that the conference will be held once a year, and that conference will be held in the Yukon. The major thrust of the conference, as the agreement speaks about, is to create public awareness of the issues related to the North Slope. If the Member is asking for a specific location, it is my intention to ask the department officials to look at convening the first conference either at Old Crow or at Eagle Plains.

Mr. Phelps: According to my notes, the items we discussed, including some \$377,000, the balance is for Herschel Island, for establishing the territorial park pursuant to the terms of the Act. Can the Minister give us a breakdown of how much has been spent on the O&M side of this?

Hon. Mr. Porter: Of the Herschel Island expenditures, we are looking at salaries of \$60,000; travel in and out of the Yukon, \$34,000; training expenditures, \$50,000; retail expenses, stationery supplies, program materials, \$5,000; and basic contingency, \$16,000.

We are looking at establishing park ranger positions, and we will be looking at training those rangers for employment on Herschel. Because the Yukon College facility does not offer any renewable resources training in this area, we are forced to look at the Community College in Fort Smith. It has had, for many years, a renewable resources program for the training of these individuals.

Mr. Phelps: We used those facilities in the past with some success. Can we be advised as to how many people it is intended will be trained in the year covered by this and where those people are originally from?

Hon. Mr. Porter: There are six positions. The agreement is worded in such a way that it does force us to look at a situation where the majority of those positions will be filled by the Inuvialuit beneficiaries to the agreement.

Mr. Phelps: Has there been any discussion about that issue with respect to the wording in the Act and with respect to the agreements that were done bilaterally between the parties; that is to say the Old Crow Council for Yukon Indians on the one hand and the COPE people on the other with respect to exchanging benefits to be achieved through the bilateral agreement?

Hon. Mr. Porter: The section that is directly applicable in this instance is under Economic Benefits 12(42). The wording of that section is as follows: "the parties agree that the predominant number of persons employed in the operation and management of the parks referred to in (5) and (16)" — the national park and Herschel Island Park — "should be Inuvialuit, the appropriate government shall provide training to assist the Inuvialuit in qualifying for such employment". It is our intention to approach the Inuvialuit with the position that because Old Crow is such an integral community in the whole North Slope region that the people of Old Crow should have opportunity to participate in those

particular positions, as well as the other communities, such as Aklavik. My understanding is that there have been discussions in Aklavik and Inuvik on park management and Old Crow people were, in fact, involved in those meetings. There have been some preliminary discussions; however, there has not been any agreement with respect to the numbers of positions as it relates to the two jurisdictions.

Mr. Phelps: That is interesting. Just to try to clarify what I was getting at. As the Minister is no doubt aware, once this agreement was almost at the stage of going to parliament when there was suddenly a flurry of negotiations involving beneficiaries from the Yukon Land Claim, Old Crow, unilaterally or bilaterally with COPE as well as with the Dene people of Aklavik and Fort MacPherson, again bilateral agreements, which I believe are an appendix to the agreement. I do not have the agreement with me tonight. But, as I understood it, as I recall it, as I understood it at the time, the *quid pro quo* for special sharing of those rights on the North Slope by the people of Old Crow would be reciprocal sharing of rights destined to the people of Old Crow by the COPE beneficiaries to the north of the watershed line. That applies to employment in the park, in particular, given this area of questioning. I am just wondering whether or not those bilateral agreements have been followed through with assistance from the government?

Hon. Mr. Porter: With respect to the area of reciprocity, the Member is correct that there is a section in the agreement that stipulates that the Inuvialuit and the Council for Yukon Indians may enter into bilateral agreements, such as the agreement dated March 15, 1984 between the Council for Yukon Indians and the Inuvialuit whereby the native groups may share in the rights, privileges and benefits afforded the beneficiaries in the Yukon North Slope.

With respect to the definition of the word "reciprocity", it is understood, at least by myself, that should they move in that area of agreeing to share the same rights, then they are going to have to offer the Inuvialuit rights in other areas of the Yukon. It is a position that I know the people of Old Crow have been discussing at some length. There is also a proviso that the park boundaries can be extended north, south and the watershed, for an incentive for the people of Old Crow to fully participate on an equal basis with the Inuvialuit in the whole park. Then again, the people of Old Crow will have to come to a decision as to whether or not they, in fact, want those lands incorporated under park lands.

Mr. Phelps: The Minister is quite correct. I am curious about whether or not the approach has been made. If one in six persons leave Old Crow for the Herschel Island training, would the same kind of concession be extended with respect to extending the park to the south into the Old Crow flats area? Has that kind of approach been made?

Hon. Mr. Porter: I will see the Member on that and raise him one and argue for a position of two. His suggestion of the people of Old Crow then advancing a similar offer is one that is open. There have been discussions in Old Crow to solidify their position. As well, the department officials have been assisting in meetings in Old Crow. There has not been a formal position advanced to the Inuvialuit, but it is our intention to do so.

Mr. Phelps: I would be very pleased to call a raise. I wonder whether or not there will be an opportunity to play poker after hours in this Legislature?

Chairman: Any further questions?

Mr. Phelps: The salaries are \$60,000, aside for the \$50,000 for the training of the rangers. How many people does that involve?

Hon. Mr. Porter: The total expenditure is only for the park rangers who will be recruited. It breaks down to \$56,000 for salary dollars and \$4,000 for fringe benefits.

Mr. Phelps: Does the archaeological work that is being done appear on the capital side?

Hon. Mr. Porter: The Member is correct, and if we want to move ahead of ourselves and conclude debate on that capital, I will be willing to do that. I see a raising of eyebrows indicating alarm from the side opposite. I will wait until we get through it to address that question.

COPE in the amount of \$502,000 agreed to

On Operation and Maintenance

Operation and Maintenance in the amount of \$1,718,000 agreed to

Chairman: We will begin with the Capital votes.

On Community and Transportation Services

Chairman: We will start with Community and Transportation Services of \$3,000,000 after a 15-minute recess.

Recess

Chairman: I call Committee of the Whole to order. We are on capital votes, Community and Transportation Services, general debate.

Hon. Mr. McDonald: The funds requested here are for continuation this year of the Local Employment Opportunities Program. Members will note that the report of last year's program was tabled in the House and it recommended administrative changes. It denoted expenditures made under last year's program. As mentioned in the House last week a number of times, we are proposing to pursue the program again this year because of its obvious benefits to all communities and also because it was perceived to be a good job creator in the communities where there were employment slumps. Essentially, the program is proposed to be continued this year and we will be conducting a report on the program similar to the one we did last year, once the program is essentially complete next spring, and will table that report in the House also.

Mr. Lang: This money is strictly for Local Employment Opportunities Program and for nothing else.

Hon. Mr. McDonald: That is right.

Mr. Lang: How does this dovetail with the municipalities and monies allocated to them vis-a-vis the capital dollars that we are looking at with respect to municipal financing. As we know, we are being asked to approve a substantial increase in this particular area. How is this going to relate to the dollars that you are asking us to approve here? Has any thought been given to that?

Hon. Mr. McDonald: Yes, there was. There is no necessary connection between these expenditures at all. The funds allocated under this program could be allocated toward societies, community clubs or municipal governments, should they wish to undertake various projects. Generally speaking, there is no necessary connection between the two allocations.

Mr. Lang: Do I take it that the \$1.7 million has been spent? That is totally exhausted as of the Spring of this year? Is my understanding correct?

Hon. Mr. McDonald: The funding the Member is questioning straddles two fiscal years: last year and the current year. The funds that were committed, as the report indicates, are different from the funds spent. The funds spent under the program — I am not sure whether all the accounting adjustments are in — are listed in the report itself.

Mrs. Firth: I raised a concern last Session about the report that was going to be done and who it was going to be done by. Can the Minister tell us whether or not the same individual was responsible for the program?

Hon. Mr. McDonald: The Department of Community and Transportation Services did the report. An independent consultant was not asked to do it. There might have been a number of individuals involved in the program, but there were a variety of individuals involved in administering the program who participated in the writing of this report. It was done from a variety of sources including input we received from various community officials and organizations around the territory. There were no independent consultants charged with doing the report. It was an internal analysis.

Mrs. Firth: I just wanted to remind the Minister of the concern I raised, that the person who was administering the program should not do the report because it would not be as quite as an objective viewpoint. I wanted some reassurance from the Minister that the people who did put the report together were looking at it from an objective point of view as opposed to the ones who had been dealing with the program day after day and perhaps would not be quite as open-minded and objective about some of the details where

the program did and did not work well.

Hon. Mr. McDonald: That is a good point. There was an attempt to be critical of the program so that we would be in a position to improve it in the future. There were various suggestions made for its improvement. Nobody suggested that the program be axed, but there were suggestions for improvement, and we have taken those to heart. I would hope that the experience would be even better this year than it was last year.

I think that a frank appraisal of the program is absolutely necessary for its continued health. If it cannot endure that criticism, then there are some major structural problems. I think that the report has given a very frank observation of the health of the program, and it makes some valid administrative criticisms that should be addressed this year.

Mrs. Firth: In the observations there was a comment made on page 10 of the report, talking about how some of the recipients did not comply with the terms of the agreement requiring a regular accounting of funds, yet, in the conclusions, it does not really state any recommendations or suggestions as to whether they are addressing that problem, or how they are going to solve it so that there is not an accounting problem again.

Could the Minister give us some comments about that, please?

Hon. Mr. McDonald: In that situation, a holdback of final funds is an avenue that we can use to ensure that invoices are paid. A lot would depend upon the sponsoring organization's ability to pay those funds on its own out of reserve capital. It was not a problem endemic to the program. It did surface a couple of times, and attempts were made to recruit funds that were not allocated in accordance with the terms of the agreement that we signed with the sponsoring agent.

Mrs. Firth: I would like to address the concern again about the approval committee. I know that that committee has been practicing with the Ministers and the four deputy ministers for some time. I had made some comments about that, and the Government Leader responded with concerns about accountability and so on.

I see this as an avenue for three Ministers of the government to have a budget that they are responsible for, of a considerable amount of money and that they have the ability to hand out. That is definitely a bad perception that could be arrived at from the makeup of this selection committee.

Can the Minister address that concern?

Hon. Mr. McDonald: Yes, I would like to. I feel that, of the people who work with and for the government, the Minister is probably the most visible and accountable member working for this government, more so than anybody else. Quite often, civil servants are buried in the system, and it is difficult for a member of the public to identify who is responsible for making decisions. In this system, it is very clear who is responsible for making decisions. As it is the Ministers' job, they put themselves on the line to be accountable for the decisions they make.

At the same time, because of the Public Service's relationship with the government, they feel nervous about making judgments about expenditures that, quite rightly, should be left up to legislators, politicians, Ministers. For that reason, they require that the terms of reference for a particular program be so specific that they are not allowed the latitude to make subjective judgments.

One of the problems that that creates is that the program guidelines are so specific and so tight that the resulting decline in flexibility irritates the population greatly, that is, and the sponsoring organizations in the small communities. They realize that the sponsoring agencies do not have the flexibility or the latitude to cover small projects. They do not make decisions with respect to the terms of reference or to the projects themselves.

What we have attempted to do here is to combine the administrative experience and expertise by having senior deputy ministers on the selection committee, to provide the valuable input that they have, as well as the input from Ministers.

What we have undertaken to do is to detail every single item to be funded under this program for public review. I think that the record speaks for itself. I would challenge anybody to say that there has been political interference in favour of, say, government ridings, or in favour of large municipalities over small municipalities. I think

there has been an honest attempt to be fair in terms of the expenditures around the territory. I would hope that we could continue that.

I will certainly stand accountable for expenditures made under this program, as with any other. I have indicated that, with respect to terms of reference, we are attempting to be fair and to ensure that all communities have a shot at seeking funding for the projects in their communities.

²⁰ I would hope that the experience in the future would bear me out on that score because clearly one of the benefits of this program is that it responds quickly in a flexible sort of way, primarily to a lot of rural residents who do not understand the government red tape, and, at the same time, it is fair and quick. The funding decision can be made very quickly if the technical committee gets its homework done on time. I think that combination of factors produces a very good program. It does depend on the members — Ministers, Deputy Ministers, et cetera — all of us aware and familiar with the program so that abuses do not occur. It is my personal belief, given my experience with employment programs and the like and the incredible frustrations I have felt in helping community groups apply for funding, that the results of this program are better than any other I have come in contact with, and I would like to see that flexibility be maintained.

Mrs. Firth: There are lots of other agreements and situations where money is granted on the basis of either grants or low-interest loans to the public, and I am talking about all the EDA agreements. The Minister certainly is not involved at an approval level with Economic Development Agreements. We are talking about money that is going to the public there. I am not making any accusations, I am simply talking about the perception and the potential for the accusations to be made or the potential for abuse to occur because the Ministers are directly involved with the decision and distribution of these millions of dollars. So it would not be wrong for a member of the public to get the impression that because the Minister is approving this allotment that that is who you go to see to ask for the funding and it puts the government in a very compromised, awkward position if the public feels that it is the Ministers who are approving the funding and they have to be a friend of the Minister to get funding for their community. I am not saying that that has happened. I may have heard a few off-hand comments from the public who, because they have not gotten funding or some other reason, may have made those kinds of accusations, but I do not think it is healthy for a government to put itself into that position where the potential for that kind of accusation of abuse could be directed.

Hon. Mr. McDonald: The Ministers, as I have mentioned, are perhaps the most accountable people the public will come into contact with in making decisions of this sort. When it comes to making application under the program, I personally have experienced no lobbying, even as Chairman of this Selection Committee, from any individual person, quietly or otherwise, to approve a given or specific project.

²¹ This is considered to be a government program. It is considered by the public to be a program that is fairly distributed, and everyone realizes that they have a good crack at making application and seeking approval.

The funds that are allocated to the program are approved by Management Board, which is more Cabinet Ministers making decisions. The decisions are scrutinized thoroughly by the communities, by the sponsoring groups and can be by this Legislature.

Unlike employment programs, the people who are actually making the selections can be questioned in public on decisions that are made. Ministers do not like to get involved in making those selections in employment programs, because the amount of detail and decision-making in order to assess the validity of programs is very time consuming, and the Ministers could not consider that a valuable expenditure of their time. That is why they do delegate that responsibility to civil servants, and in so doing they tighten up terms of reference and make it so specific that the civil servants cannot, hopefully, make errors in judgment that would be disagreeable to the elected people.

In this case, there is an attempt to be fair and open about the

decision-making process. Above all, there is an attempt to be fast and flexible. That is one of the best aspects of the program that I can mention.

Mr. Lang: In the criteria, I would assume that one of the principles is the number of unemployed in an area. Is that one of the major factors for deciding where the money is going to be allocated?

Hon. Mr. McDonald: It is not one of the major factors, but it is a factor. There is an attempt to ensure that all communities of a given size have a certain amount of attention from the government. That is something that has been an abiding principle so that no community is left out. There are attempts to encourage projects coming from a community where unemployment is high and to respond to those communities in the best way possible.

Mr. Lang: In the distribution of funds, we have \$500,000 out of a total of \$1.9 million going to the Whitehorse area, which also provides for Hootalinqua in many respects. I would have assumed that that would have been the greatest number of unemployed people because of the numbers of people involved. Perhaps the Minister has a comment on that? I guess it is a question of what is fair and what is not fair. If unemployment is the criteria, then I would think that we would be sticking fairly close in that respect, bringing the regional element into the discussion.

Hon. Mr. McDonald: First of all, Hootalinqua is not considered to be part of Whitehorse for the purpose of this program. Carcross is considered independently as a community under the program. There is traditionally a feeling that there is, in comparative terms, a fairly healthy private sector in Whitehorse, which can do many of the things that cannot be done in rural areas, in which government is really the primary employer over the course of the winter.

The facilities that exist in many of the communities are substandard and hardly bear a comparison with those in Whitehorse. There is still a desire to provide funding for worthy projects in Whitehorse, and we attempted to do that. We also recognize that, in many of the rural areas, it is difficult to get funding for various projects, and we hope to address that situation with this program.

Mr. Lang: Is it taken into account on any of these projects the amount of government money that has already been put in, in one method or another, with respect to coming to a determination of whether you are going to fund a program? In the information that is provided to you, is it required for an organization or applicant to say for the purposes of this particular building we have already received \$100,000 or \$150,000 of government money? Is that a requirement of an application?

Hon. Mr. McDonald: Generally speaking, there is an attempt to ascertain the history of various projects, essentially to ascertain whether there is a black hole community hall someplace that never seems to be funded enough. There is a desire to be careful about those expenditures. Funding from other sources is taken into consideration where we have that information. We do seek it.

Stacking is permissible under this program. Funding from various sources is taken into account.

Mr. Lang: The Minister still has not answered my question. As part of the requirements for the program, in the application stage, is for the proponent to outline the full amount to their knowledge of government money that has been put into the project.

Hon. Mr. McDonald: Well there is also a technical committee. If the Member is trying to suggest that there is political manipulation I wish he would simply say it so I can address it because I will be happy to defend the program from that particular criticism if that criticism is being levelled. With respect to funding, generally speaking we try to determine what funding does come from other sources. We do not always have a history of all government funding on a particular project. Some community halls have been there for ten or fifteen years and it might have received \$20,000 one year and \$50,000 another year, nothing the next year and \$20,000 the next year. We do not have that kind of historical knowledge on funding to support a program. We generally take the ability of the community to support the project and the benefits that the project does have for the community into account when making those

decisions.

Mr. Lang: I will get into the politics in a minute. I am making an observation. Is it a requirement of the application to show how much government money has been given already. The reason I am asking this is that a municipality may have given an organization money last year that you may not have any knowledge of. The federal government may have given money two years ago that you may not have any knowledge of and my point is that it is all taxpayers money. In fact, some of these organizations become very professional, very professional. They do not need any help, they do not need any consultants or service contracts to find out how to go for an application. My only point being is, would it not help in the deliberations to realize how much government money is being put into projects? If it were a requirement that the applicant put in the amount of money they have received in the last five years from government, that is all I am asking. If it is not a requirement, would the Minister consider making it a requirement just so that added knowledge is available for the so-called non-partisan, non-political committee?

Hon. Mr. McDonald: The first thing is that if there is a request made, if there is a municipal government involved or available in the community for which the funding is being delivered, to provide some background on that particular project. With respect to funding from other sources, there is generally an attempt in the immediately preceding years to understand what funding has come from not only the federal government but from our government itself. It has not always been a determining factor in determining whether or not a project will be funded, but it is information that will be taken into account.

Mr. Lang: I will take the Member's suggestion that a five year limitation, or some sort of arbitrary period, should be considered to identify public funding for a project. It may be a worthwhile yard stick in determining the value of one project over another.

Mr. Lang: I note in here that there is \$22,800 going to the Yukon Conservation Society for office renovations. I know that they got the building they are in for next to nothing, if not nothing — for one dollar, perhaps. I know that there was a federal grant made available for renovations to that building. There was an energy efficient grant made available to them. Does it go to the point where we have a building valued at only \$40,000, yet \$200,000 has been poured into it because of these applications. I am making a valid observation. Because of the multi-programs that are available, we will find out how this money is being spent and keep some handle on it. I appreciate the Minister noting my observations, and we will be looking forward to seeing what comes out of it.

I know that the Minister of Community and Transportation Services is very committed to municipal control and local responsibility. I am a little alarmed that this non-political selection committee has on it people such as the Government Leader who, I understand, is very busy. I would think that in order to keep it non-political, maybe the one-half million dollars could be transferred to the municipality of Whitehorse directly, giving them the terms and conditions of the program and have them authorize, within their boundaries, a number of winter works programs. The unorganized communities would have to be dealt with directly as they have been in the past.

It would seem that the locals are closest to the communities. I find it difficult to understand how the Minister of Community and Transportation Services is making decisions on behalf of Whitehorse. That would be the same as myself in Mayo. That is an idea for local control and passing the dollars directly as stated in the *Municipal Finance Act* and the *Municipal Infrastructure Grants Act*. It would also be very consistent with the philosophy that has been espoused by the government.

Hon. Mr. McDonald: From a fairly simplistic point of view, it might be considered to be consistent with that philosophy. The funding that we have transferred to municipalities under block funding is primarily exclusively for municipal works, which are the purview of the municipal government.

I noticed the Member is looking quickly over the projects for the City of Whitehorse, and will notice that projects in that list are not

for projects that would commonly be referred to as municipal works in the classic sense: roads, streets, water, sewer, recreation facilities, which are the responsibility of the community in question.

There are a number of employment programs that the government operates that do operate and front projects within a municipality. There are federal programs that fund manpower projects in the territory. Nobody would suggest for a second that, because the money is being spent in the territory, it should be the exclusive jurisdiction of the Yukon government. At the same time, there is a desire by this government to assist communities in terms of improving facilities and improving projects within those municipalities. For those projects that would be the responsibility of the municipal government, funding is transferred directly to the municipal government to undertake those projects.

With respect to other projects, such as the CPR Society in Whitehorse, that is not a municipal work. It is funding a society to perform good works for the community in which it resides, as well as the whole territory.

With respect to the Member's first issue, which was the issue of detail of projects and desire by the government to make sure it does not simply put money into a black hole, I would like to put the Member's mind at rest by saying that, at the application stage, the character and the work of the project is presented to the government, materials lists are presented to the government, as well as a list of labour, et cetera. Those lists are matched up with a project to determine whether or not they are realistic and funds are to be spent accordingly. Building inspection will review the project and the progress of the project to ensure that the funding identified under the program application is spent in the right way.

We are not simply giving a grant to a particular organization and asking them to do their best to spend it. They come forward with a specific project proposal, and that project proposal is checked against the conclusion of the project, the final construction. This is done by professionals — by the building inspection services, if it is a building.

There is a serious attempt to make sure the proper, prudent controls are put onto the program. The funding proposal under capital block funding was to transfer funds to municipal governments for municipal works. This is a program that does more than that. It does fund societies and organizations, which are a benefit to the community and to the territory, and is an attempt to provide a service to the territory as a whole, at a time when employment is down and there is a need for jobs.

Mr. Lang: I do not know where the Minister has gotten this black hole from, but I do not think anybody from this side has referred to one. I think our concern is the politics and what would appear to be possibilities of political intrusion into the expenditures of public monies. It makes it difficult for us, going through the Local Employment Opportunity Programs, because we do not know which ones were turned down. The point I would like to make is in respect to the amount. For example, in the Whitehorse area, most of those particular organizations have been funded at one time or another by the Municipality of Whitehorse. I am just using the Municipality of Whitehorse as an example because I am familiar with it. If they knew that there was X amount of dollars coming for a winter works project, maybe they could even spend the money more wisely than this selection committee, which is supposedly non-partisan but has three Members of the front bench on it, by dealing with the unemployment problems in their particular area, i.e. the Town of Watson Lake.

What I am saying is that the transfer of these dollars, with the program guidelines clearly written out, should be left to the local level with the councils, and those people should look at allocating these dollars as opposed to, for example, the Government Leader spending his time going through these applications once a week, which are strictly non-political.

Hon. Mr. McDonald: Who in Heaven's name does the Member think makes decisions about public funding? Who is accountable for public expenditures? It is not the front bench of this government. We are about to consider a \$114 million capital expenditure program for the territory. Who does the Member

suppose made those proposals, if it is not the Minister as the duly elected people of this territory? That is the first time I have heard it levelled as a criticism that there is political intrusion into the funding of public projects. Clearly, the people of the territory elected the politicians, the legislators, the people here, and primarily the front bench of this government, to make funding proposals and to approve public expenditures. Who better than the elected people to make those decisions? I do not understand what the Member is talking about when he talks about political intrusion into public funding. Who is supposed to decide? Are we saying, "Listen let us...". I am sorry Mr. Chairman my hands go flying when I get excited.

The public expects the political people to be responsible and accountable for public expenditures. They do not expect that it is better that non-elected people make funding decisions, and that is one of the reasons why we proposed to go this route. The decisions that are being made are laid out completely. If there is a project that the Member feels should not have been funded please, please let me know.

²⁷ The Member complained that the projects that were not funded were not listed and that we are trying to hide something. Last spring, I made a summary list of all projects that were not funded available to any Member who wished it. I am surprised that the Member for Riverdale South did not ask. I did make it available to the Legislature.

Chairman: Order, please. I know it is getting late.

Hon. Mr. McDonald: No, I did not make the funding decisions and the details of the program available to the Legislature last spring. We discussed it last spring.

The funding proposals for a community are run past that community even though it has nothing to do with municipal works. It may be a rod and gun club; it may be a ski club; it may be something outside the boundaries of the community, but because the community government is the closest elected government to a project, we still settle for their views.

The funding is not meant to be a transfer of funds to support traditional municipal works. It is meant to be a program to promote good community works. Community governments, where they exist, are canvassed for their views.

Mr. Lang: This is the point that I am trying to make to the Member opposite. He went on for an hour to try to explain to this side of the House that these are totally non-political decisions that are taking place on behalf of the government. All I was trying to do for the Minister, in view of his stated position to ensure that politics could not be associated with the decision, is suggest that perhaps they would transfer the dollars to the local level.

An hour and a half later, the Minister says to us that it is a political decision. Now that we have that framework, that is fine. When we have \$3 million with three politicians dishing it out, then politics is entering into the decision-making process. The government is left open to very legitimate observations from this side and from the public. The Minister of Community and Transportation Services has had his say, now it is my turn. Thank you.

It is of concern. We got \$5,000 or less contracts on which no one can have the information. We have a committee that is dishing out \$3 million. It is so irrelevant that it has no bearing on the government; it is totally non-political, but the Government Leader sits on it as if he does not have anything else to do with his time, as well as two other Members of the front bench. It seems to me that it has political overtones.

²⁸ If the Minister says it is a total political decision-making process, where he will bear the direct responsibility in the divvying up of dollars, that is fine, but do not stand up in this House and try to tell us for an hour-and-a-half that it is not political. Then, 15 minutes later, turn around and say, yes, we are responsible and we are the ones who make the decisions.

When you have \$3 million in the hands of three Members of that front bench who are going to divvy it up, there are concerns of just where the overtones of where the dollars are going. We never did that, and just divvied up money along the lines that the Minister is undertaking to do.

When the side opposite were on this side, they would really have

taken us to task, and rightfully so. The Minister asked about Mountainview Drive. The Minister who has just talked about Mountainview Drive happens to be a Member of the City Council of the day and agreed to go with Mountainview Drive. When he was on this side of the House, he never criticized the project. If he does not like the project, take the highway and do not come up Mountainview Drive, if he ever deigns to go to Porter Creek.

I would make the point of view that Mountainview Drive is not a matter of discussion, as far as this particular project is concerned. It might be if it was going through the City Council.

That is my point to the Government Leader. The politicization of the distribution of dollars is becoming more and more rampant in this government as we go day-by-day through the budgetary process. That is the concern this side of the House has with respect to what is happening as far as the disposition of public funds is concerned. The public is seeing it more and more.

When I made the recommendation, I made it very seriously. It was supposed to be a non-political organization or selection process. Why not directly transfer it to the municipalities in question, as opposed to acting as big brother.

Hon. Mr. Porter: In view of the fact the Member for Porter Creek East has been around here as long as some of our community halls, maybe he can give us the benefit of his knowledge.

I move that you now report progress on Bill No. 18.

Chairman: It has been moved by the government House Leader that we do report progress on Bill No. 18.

Motion agreed to

Hon. Mr. Porter: I move that the Speaker do now resume the Chair.

Motion agreed to

Speaker resumes the Chair

²⁹ **Speaker:** May the House have a report from the Chairman of Committee of the Whole?

Mr. Webster: The Committee of the Whole has considered Bill No. 18, *Fourth Appropriation Act, 1986/87*, and directed me to report progress on same.

Speaker: You have heard the report from the Chairman of Committee of the Whole. Are you agreed?

Some Members: Agreed.

Speaker: I declare that the report has carried.

Hon. Mr. Porter: I move that the House do now adjourn.

Speaker: It has been moved by the Hon. Government House Leader that the House do now adjourn.

Motion agreed to

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

The House adjourned at 9:30 p.m.

The following Sessional Papers were tabled December 1, 1986:

86-3-68

Auditor General of Canada Report to the Yukon Legislative Assembly on "any other matter" for year ended March 31, 1986 (Speaker-Johnston)

86-3-69

Yukon Public Service Staff Relations Board, Sixteenth Annual Report, 1985-86 (Penikett)

86-3-70

Yukon Teachers' Staff Relations Board, Twelfth Annual Report, 1985-86 (Penikett)

86-3-71

Yukon Liquor Corporation, Annual Report, April 1, 1985 to March 31, 1986 (Kimmerly)

86-3-72

A Guide to the *Human Rights Act* (Kimmerly)

