



# The Yukon Legislative Assembly

Number 6

9th Session

23rd Legislature

Debates & Proceedings

**Monday, November 14, 1977**

Speaker: The Honourable Donald Taylor

## ERRATUM

The following should replace the last paragraph, column one, November 10, Page 87, from the words, "**Mr. Fleming:**" to and including the words, "**PUBLIC BILLS**" in column 2 of Page 87.

### Question re: Block Land Transfers in Rural Areas

**Mr. Fleming:** I have another question, Mr. Speaker, for the Minister of Local Government on block land transfers from the Federal Government. We notice that the former Minister has given some thought to this inside the municipalities, L.I.D.'s and unorganized districts and so forth and so on.

My question to the Minister this morning, Mr. Speaker, is, has this government in the past, actually asked for any block land transfers outside of municipalities, in rural areas, for instance?

An example would be the Tagish area, the Annie Lake Road, such areas as this that may be used for farming or agriculture or whatever.

Whitehorse, Yukon Territory  
Monday, November 14, 1977

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

We will proceed with Morning Prayers.

*Prayers*

**Mr. Speaker:** We will proceed at this time to the Order Paper.

#### ROUTINE PROCEEDINGS

**Mr. Speaker:** Are there any documents or correspondence?

The Honourable Member from Hootalinqua.

**Mr. Fleming:** Mr. Speaker, I would like to rise this morning on a point of privilege. On page 87, which is the first page of Hansard, on November 10th, I see that Mr. Fleming, here, is answering some of the Government's questions to the Member from Kluane and, when you go over to the other side of the page, I find that there is questions in the Public Bills and I wonder if that could...?

**Mr. Speaker:** All right, we will proceed with the Routine Proceedings. Are there any Documents for Tabling?

The Honourable Minister of Human Resources.

#### TABLING OF DOCUMENTS

**Hon. Mrs. Whyard:** Mr. Speaker, pursuant to Section 56.(1), of the *Workmen's Compensation Ordinance*, I have for tabling, the Annual Report of the Workmen's Compensation Fund, for the year ended December 31st, 1976.

I also have for tabling, pursuant to Section 4.(1)(f), of the *Corrections Ordinance*, the Annual Report of the Corrections Branch, for the year 1976-77.

**Mr. Speaker:** The Honourable Minister of Highways and Public Works.

**Hon. Mr. McKinnon:** Mr. Speaker, I have for tabling, a copy of the draft agreement in principle between Canada and the United States, with respect to the Alaska Highway Pipeline Project, as requested by Motion Number 1, for the Production of Papers.

**Mr. Speaker:** Are there any further documents or correspondence for tabling, this morning?

Are there any Reports of Committees?

Petitions?

Introduction of Bills?

Notices of Motion for the Production of Papers?

Notices of Motion or Resolution?

The Honourable Member from Kluane?

#### NOTICES OF MOTION

**Mrs. Watson:** Yes, Mr. Speaker, I have a motion, seconded by the Honourable Member from Riverdale, THAT the Government of Yukon comply with the terms of the *Electrical Public Utilities Ordinance*, Section 20.(1), and refer the franchise agreement proposal submitted by the Yukon Electrical Company to the Government of the Yukon for the communities of Beaver Creek, Destruction Bay-Burwash, Keno City, Old Crow, Pelly Crossing, Stewart Crossing, Swift River, Tagish, Ross River, Haines Junction boundary extension to the Electrical Public Utilities Board for approval before the Commissioner enters into any franchise agreements with Yukon Electrical Company for any of the communities listed above.

**Mr. Speaker:** Are there any further Notices of Motion or Resolution?

Are there any Statements by Ministers?

This then brings us to the Question Period. Do you have any questions? The Honourable Minister of Highways and Public Works?

#### QUESTION PERIOD

**Hon. Mr. McKinnon:** Mr. Speaker, I have for tabling, a legislative return in answer to a question from Mrs. Watson concerning lots at Destruction Bay; and a legislative return in answer to a question from Mr. Fleming concerning a new subdivision for Teslin.

Mr. Speaker, if I may provide several oral answers to oral questions. Mr. Berger asked whether the oil companies on the Dempster Highway are receiving either Territorial or Federal Government financial assistance to keep the road open. The company is Aquataine Company of Canada Limited, they are not receiving Federal assistance to keep the road open. They anticipate using the road from November 15th to December 31st.

Mr. Speaker, Mrs. Watson asked on November 10th what property tax revenue pursuant to the *Taxation Ordinance* for the taxation year 1976 was paid to the YTG for that portion of the Whitehorse-Skagway Pipeline, which crosses the Yukon Territory. White Pass & Yukon Route was taxed \$13,038 in 1976 by the Commissioner for that portion of the Skagway-Whitehorse Pipeline lying outside the City of Whitehorse and within Yukon.

On November 7th the Honourable Member from Whitehorse Riverdale, Mr. Lengerke, asked an oral question concerning the impact information centre.

He wanted to know which senior government officials are involved and how many, the answer is as follows: the task force of senior territorial government officials developing a proposal for a Pipeline Impact Information Centre consists of the following persons: the Deputy Commissioner, the Director of Economic Research and Planning and the Director of Library Services, the Director of Tourism and Information Services, the Special Assistant to the Commissioner and the Native Advisor, Mr. Speaker.

**Mr. Speaker:** Are there any questions?

The Honourable Member from Kluane?

**Mrs. Watson:** Yes, Mr. Speaker, I have a question for the Commissioner. It is a written question.

As outlined in the man-year summary on page 8 of the Government of the Yukon, 1977-78 Main Estimates, funds were voted by this House for a total of 1,298.62 man-years. My question is, 1). How many man-years are now on staff in each of the Departments listed in the summary.

2). How many positions or man-years are presently not filled or used by each of the Departments?

3). How many man-years and what man-years have been transferred from one Department to another, from what Department to what Department?

4). What new positions other than those submitted and approved in the Main Estimates have been created and in what Departments?

**Mr. Speaker:** The Honourable Member from Olgilvie?

#### Question re: Dental Care in Outlying Areas

**Ms Millard:** Mr. Speaker, two written questions, both for the Minister of Health.

The first question is concerning dental treatment.

1). Has the Minister had any success in efforts to have the Yukon Dental Association set up regular visits of dentists to outlying areas?

2). Can we anticipate a subsidy from this government for dental patients who are now required to travel to Whitehorse from other areas for treatment?

- 3). Will the government consider changing the regulations governing dental treatment so that dental therapists can be allowed to do more complex dental treatment?
- 4). Would the government commit itself to subsidizing by means of housing or office facilities, a dentist who may wish to reside in an outlying area in the same manner as the subsidy to the doctor in Dawson?
- 5). Will the government provide dental work facilities and equipment in any of the outlying districts?
- 6). Will the government consider establishing a scheme of dental therapy costs insurance?

**Question re: Asbestos Dust Level at Clinton Creek**

**Ms Millard:** The second question deals with the dust level problem at Clinton Creek.

1). Has this government done anything to assist the Steel Workers' Union at Cassiar, B.C. to locate ex-employees of Cassiar and Clinton Creek Mines in their efforts to test these ex-employees for disorders related to long term asbestos dust inhalation. If not, will the government consider some kind of assistance such as advertising for ex-employees?

2). The Regional Mining Engineer has prepared a summary of requirements for work in dust exposure occupations and procedures to be followed in those occupations.

Could the Minister table this information this Session?

**Mr. Speaker:** The Honourable Member from Whitehorse Riverdale?

**Question re: Wolf Creek Subdivision**

**Mr. Lengerke:** Mr. Speaker, a question for the Minister of Local Government this morning, I am wondering if the Minister could advise how many small acreage lots will be available this spring in the Wolf Creek subdivision and I am also wondering if the second phase of that development is being worked on at this time? Is it contemplated that it will come on stream this coming construction season?

**Mr. Speaker:** The Honourable Minister of Highways and Public Works?

**Hon. Mr. McKinnon:** Mr. Speaker, I am no good at just snapping the lot numbers off the top of my head with all the developments that are going on. I would be pleased to provide that information to the Honourable Member.

**Mr. Speaker:** The Honourable Member from Whitehorse South Centre?

**Question re: Medical Evacuations**

**Mr. Hibberd:** Mr. Speaker, I have a question for the Minister of Human Resources this Morning regarding medical evacuation. There are instances which arise whereby a person is referred outside for further treatment but not hospitalized and they are required to stay outside for sometime to have this treatment. Are there any facilities by which a person could be reimbursed for their expenses during that time.

**Mr. Speaker:** The Honourable Minister of Human Resources.

**Hon. Mrs. Whyard:** Mr. Speaker, this is a constant problem with referrals of Yukon patients. Unless the doctor in charge of the case requires hospitalization during treatment outside, we have no authority to pay alternate expenses during their stay as an out-patient.

It has come before me on a number of occasions and of course, if the patient is in need, there are provisions for assisting them but as usual, Mr. Speaker, it is the honest middle class citizen trying to pay their taxes and keep their head above water who gets penalized by such arrangements. We are studying this situation and we are trying to resolve some kind of accomodation at a reasonable cost in the Vancouver

area.

There are a number of facilities such as the Red Cross Lodge and if the person happens to be a veteran, it is not too difficult but I must admit, Mr. Speaker, it is a problem and we are working on it.

**Mr. Speaker:** The Honourable Member from Whitehorse South Centre?

**Question re: Director of Health Services**

**Mr. Hibberd:** Mr. Speaker, I have another question for the Minister of Human Resources. I see that the Department has started to advertise for a Director of Health Services. Inasmuch as this is a new position and an important one, I am wondering if the Minister can give us an idea of the restructuring the department. Is there an organizational chart or something that can show us how this Director of Health Services will fit into the scheme?

**Mr. Speaker:** The Honourable Minister of Human Resources?

**Hon. Mrs. Whyard:** Mr. Speaker, as the Honourable Member knows, there is an internal reorganization going on in government departments at present, which I hope will be finalized later this month in Executive Committee. Until it has been approved, I am not at liberty to divulge the organizational charts of any of my branches, but I would like to assure the Honourable Member that there is going to be no great change in structure with the transfer of delivery of Health Services from Federal to Territorial side.

I would hope, Mr. Speaker, that there will be no visible change to the public and that authority will continue to be passed on in the way it is now. The reason we are advertising for a Regional Director is because the Federal incumbent of that position has indicated to us that he will not be transferring and we are going to be hiring our own Director of Health Services. We wish to do this well in advance of the transfer so that there can be some continuity and carry over and that that very important position is filled at the time of the transfer so that all will go smoothly.

It is an excellent opportunity, Mr. Speaker, for this government to obtain the type of person that we feel is the right kind to have in that job and we have very carefully couched the terms of the advertisement in order to include people with medical and/or administrative experience in the medical field. I hope that we will have some excellent people applying to this government because it is a very important position.

The Honourable Member will be made aware, as all other Members will be, as soon as the internal reorganization has been completed, what the organization chart is in this department.

**Mr. Speaker:** The Honourable Member from Whitehorse South Centre?

**Mr. Hibberd:** Supplementary, Mr. Speaker, in her consideration and deliberations regarding this reorganization, I am wondering as I look at the advertisement regarding the Director of Health Services if it is merely an oversight or rather is an actual reorganization regarding Rehabilitation and Alcohol and Drug Services, as they are not referred to in the brochure regarding the Directorship?

**Mr. Speaker:** The Honourable Minister of Human Resources?

**Hon. Mrs. Whyard:** Mr. Speaker, I'm not quite clear on the intent of the question, but Rehabilitation and Alcohol and Drug Services do still belong in the Department of Health. Is there some question regarding that?

**Mr. Speaker:** The Honourable Member from Whitehorse South Centre?

**Mr. Hibberd:** The question is brought forward by the brochure, which does not refer to these services in advertising for the job, and I am wondering, because if they were not advertised whether they were to be placed in some other department.

**Mr. Speaker:** The Honourable Minister of Human Resources?

**Hon. Mrs. Whyard:** The answer is no, Mr. Speaker, they will not be placed in another department.

**Question re: Cyprus Anvil Mine-Accident Investigation**

**Mr. Speaker:** The Honourable Member from Pelly River?

**Mr. McCall:** Thank you, Mr. Speaker, I have a written question addressed to the Commissioner. In view of a recent near fatal accident at the Cyprus Anvil Mining Corporation mining operations over the week-end in which a 120 ton truck was totally wrecked, I wonder if the Commissioner could provide me with (1) has the Chief Mining Inspector been asked to investigate the accident by the Company, (2) would the Commissioner provide this House with a report on this matter and the two other accidents this past week.

**Mr. Speaker:** Are there any further questions?

The Honourable Member from Kluane?

**Question re: Transfer of Health Services**

**Mrs. Watson:** Yes, Mr. Speaker, I have a written question for the Minister of Human Resources.

In the agreement for the transfer of responsibility for the delivery of Health Services: 1). What will be Yukon's share of the Health Services Costs?

2). What arrangements have been made for the responsibility of the costs that may be incurred in accommodating the health needs of an increased Yukon population?

3). What financial arrangements have been made for the delivery of health services to the Yukon Indian people?

4). Who are defined as Indian people within the agreement?

5). Does the government plan on exercising its authority under the Yukon Act and govern the operation of Yukon hospitals under the *Yukon Hospital Ordinance*.

**Mr. Speaker:** The Honourable Member from Klondike?

That is a written question, I take it?

**Mrs. Watson:** Yes, it is.

**Mr. Speaker:** The Honourable Member from Klondike?

**Question re: Medicare Payments**

**Mr. Berger:** Yes, Mr. Speaker, I have a question for the Minister of Human Resources. I was wondering when the Medicare staff is finally going to get organized and not having to send out threatening letters to people for not paying Medicare bills. Also, why are children receiving threatening letters for not paying Medicare payments. In it, it also states, "If you don't pay up by a certain time, we will take you to court." Why is that necessary? Why couldn't those people receive bills first, then the warning?

**Mr. Speaker:** The Honourable Minister of Human Resources?

**Hon. Mrs. Whyard:** Mr. Speaker, I am not aware of any threatening letters going out from the Health Administration Branch. I know that we have been trying very hard to collect unpaid medicare fees with some degree of success, Mr. Speaker.

I will be happy to investigate these letters if the Honourable Member will give me further information.

**Mr. Speaker:** The Honourable Member from Olgivie?

**Question re: Nurses at Father Judge Memorial Nursing Station**

**Ms Millard:** Mr. Speaker, I have an oral question for the Minister of Health. With the transfer of health services imminent, I wonder if she could tell us if there is any plan to increase the number of nurses at the Father Judge Memorial Nursing Station?

**Mr. Speaker:** The Honourable Minister of Human Resources?

**Hon. Mrs. Whyard:** Mr. Speaker, I think the Honourable Member knows the answer to that question. If that facility were within our control today, there would be an adequate staff of nurses in that building.

**Mr. Speaker:** The Honourable Member from Olgivie?

**Ms Millard:** Mr. Speaker, just supplementary: the question was, does YTG intend to increase the staff?

**Mr. Speaker:** The Honourable Minister of Human Resources?

**Hon. Mrs. Whyard:** Mr. Speaker, the YTG cannot increase the staff until it becomes the YTG staff and that will not take place until the transfer.

**Mr. Speaker:** The Honourable Member from Whitehorse Riverdale?

**Question re: Bid Differentials**

**Mr. Lengerke:** Mr. Speaker, a question for the Minister of Highways and Public Works: during the last Session, this House passed a Motion with respect to bid differentials. I understand that since that time, the federal government who had implemented such a system have not apparently had too much satisfaction with it. At least this is the report. I am just wondering if the Minister could advise what the status is with respect to that and the Territorial Government, if in fact, a bid differential system was implemented and what success we have had with it or if we didn't do it, why not?

**Mr. Speaker:** The Honourable Minister of Highways and Public Works?

**Hon. Mr. McKinnon:** Mr. Speaker, once again, my lack of legal expertise is not going to allow me to answer the question properly. In a nut shell, there was a case in Quebec where the Quebec Government had a bid differential system in and the lowest bidder was not accepted, the case was thrown out by a Federal Court and it was given to the lowest bidder on the grounds that the provincial or territorial authority did not have the ability to put such a bid differential system into practice.

The Federal Government of course, immediately ran scared on their bid differential system and I think in this instance, discretion would probably be the better part of valor and let them fight it to the Supreme Court rather than the YTG getting involved in it.

**Mr. Speaker:** The Honourable Member from Whitehorse Riverdale?

**Mr. Lengerke:** Supplementary to that, Mr. Speaker: then we have not done anything about our bid differential system?

**Mr. Speaker:** The Honourable Minister of Highways and Public Works?

**Hon. Mr. McKinnon:** That is correct, Mr. Speaker.

**Mr. Speaker:** The Honourable Member from Olgivie?

**Question re: Sunset Home**

**Ms Millard:** Mr. Speaker, a question for the Minister of Health: will the Sunset Home in Dawson ever be used for anything or is it going to remain empty?

**Mr. Speaker:** The Honourable Minister of Human Resources?

**Hon. Mrs. Whyard:** Mr. Speaker, how long have you got?

This is a problem which we wrestle with annually. The latest conditions regarding the Sunset Home, which the Honourable Member knows was vacated because the fire marshal required some great costly structural changes if we were to continue to have residents in the old part of the building. They were then moved into the new section of the MacDonald Lodge. We have been trying valiantly for a number of months now to satisfy the requirements of officialdom so that that building could be used for community purposes.

The new Golden Age Citizens' Association in Dawson would like very much to use it. Our community worker would like very much to use it. There are all kinds of worthy groups and people applying for the use of the old building but we are still hemmed in by requirements of the fire marshal for structural changes, even to use it for daily meetings or offices.

Mr. Speaker, you get to a point where you look at the costs of remodelling and the value of the use to which the use the building is going to be put. I cannot give you the current situation as of today, Mr. Speaker, but the Human Resources Branch, the Geriatric Supervisor, the Community Worker in Dawson and the Social Worker in Dawson are all working on this one.

**Mr. Speaker:** The Honourable Member from Klondike?  
**Question re: Legislation concerning Medicare**

Mr. Berger: Yes, Mr. Speaker, I have a question for the Minister of Human Resources: I was wondering if the people of Yukon can anticipate legislation in light of the take-over of health care in the Yukon from the Federal Government by the Territorial Government, legislation which would equalize citizens in the Yukon. Right now, native people in the Yukon have preferred treatment in lots of things and I was wondering if this government would bring in legislation to equalize all the medicare facilities in the Yukon.

**Mr. Speaker:** I believe this is a question as to if they are going to do something rather than will they? If it is intended as being a direction to the government, then it would not be permissible as a question.

The Honourable Minister of Human Resources?

**Hon. Mrs. Whyard:** Mr. Speaker, I would like to assure the Honourable Member that there are equal health care facilities for all citizens of the Yukon now.

There is a provision for special services through the Federal Department of Health and Welfare which this Territorial Government will be delivering to people of native status in the Yukon. This has been agreed to in a contract, reached after some months of discussion with the native people and the Federal Health Services but I cannot accept any intimation that there is not equal provision of health care for all residents of the Yukon, Mr. Speaker. There is and on top of that, there are special services supplied to the native people at the cost of the Federal Government.

**Mr. Speaker:** The Honourable Member from Klondike.  
**Question re: Special Treatments Under Health Care**

Mr. Berger: Yes, Mr. Speaker, supplementary on this, will this Government, then, extend, or try to extend, the same treatments and the same special treatments to all citizens of the Yukon?

**Mr. Speaker:** The Honourable Minister of Human Resources.

**Hon. Mrs. Whyard:** Mr. Speaker, that would be a matter for the Members of this Assembly to determine, if, as and when, there are sufficient funds, in future, to provide them.

**Mr. Speaker:** The Honourable Member from Ogilvie.  
**Question re: General Development Agreement, Special Art**

**Ms Millard:** Mr. Speaker, a question for Mr. Commissioner.

Has any action been taken on the request of the native organizations for the immediate negotiation of a subsidiary agreement under the General Development Agreement, for the introduction of special art?

**Mr. Speaker:** To whom is this question addressed?

**Ms Millard:** Mr. Commissioner, Mr. Speaker.

**Mr. Commissioner:** Mr. Speaker, Special Art is a program not clearly related to the General Development Agreement. And we are trying to develop now a subsidiary agreement with the Federal Government, under the General Development Agreement, which would, indeed, include the type of programs, the type of programs that are provided to people under Special Art. It was our hope that, rather than get involved in a Special Art program, we could include those programs under the umbrella of our General Development Agreement, and we are still proceeding on that line of reasoning, at this time, trying to work things out with the Federal Government.

Mr. Speaker, I also have some answers to some Oral Questions, if, with your permission, I may read them.

**Mr. Speaker:** I think, at this point, I will permit the answers, but, it has been brought to my attention that it is not competent for people to speak from the Bar of the House without the concurrence of the whole House. Perhaps we may find a way of resolving this problem in the future.

Mr. Commissioner.

**Mr. Commissioner:** Thank you, Mr. Speaker.

On November 8th, the Honourable Member from Kluane asked me to ascertain the date that Canada Customs planned to proceed on the customs facilities at Beaver Creek. Canada Customs officials tell me that, at the present time, there is no authorization, nor have any funds been provided, for the construction of a new Customs facility at Beaver Creek. However, the Area Collector of Customs for Yukon, and the Regional Director of Canada Customs at Vancouver, have made representation recently to the Department Senior Management Committee, concerning the inadequacy of the present facilities and staffing at the Beaver Creek Customs post, to cope with the anticipated increase in border crossings and importation of goods that will result from the Alaska Highway Pipeline Project. The need for a new customs facility at Beaver Creek has been made known by the local and regional customs officials, and they have requested that capital funding for such a facility be provided in the Department's 1978 and '79 budget. This funding request is currently under advisement by the Departmental officials, but no decision has been made.

I shall be pleased to inform the Honourable Member when I have learned of Revenue Canada's decision in this matter.

Further, Mr. Speaker, on November 9th, the following Oral Questions were asked, concerning Resolution Number 19, passed in April, 1977, regarding establishment of an Advisory Council to the Game Branch. The Honourable Member from Kluane asked: has such an advisory council been established? The answer is no.

She further asked, if not, why not, and when do they plan to establish one. The answer is that, at the present time, or at the time the Resolution was passed, the Branch was without a Director. The present Director of Wildlife has been in his new position for four months and the Branch is very positive to the concept of working with an Advisory Council.

At the present time, the Branch is developing a proposal which we brought to Executive Committee, on the structure and operation of an advisory council. Advice has thus far been obtained from the Northwest Territories on the structure and

function of an advisory board there. The Alaska system has been reviewed and some initial discussions have been carried out with Mr. Joe Jack, of the CYI, and the Outfitter's representative.

The Branch has been in touch with members of the non-Indian hunting and fishing public, in an attempt to encourage the formation of a fish and game type of club or association. The Branch feels that representation of such groups is important on any advisory council.

The target date for an Executive Committee submission proposing an advisory council is sometime in January 1978. The final question asked by the Honourable Member from Kluane was: if they have established it, who are the members of the advisory council for the Game Branch? The answer to that question is that the Branch feels that an advisory council could include, but not be exclusive of: trappers' representation, Indian representation, outfitter representation, hunter and fisherman spokesman group representation, and conservationist or natural history group representation.

**Mr. Speaker:** Are there any further questions?

We will then proceed to Orders of the Day.

#### ORDERS OF THE DAY

**Mr. Speaker:** Motions for the Production of Papers.

#### MOTION FOR THE PRODUCTION OF PAPERS

**Madam Clerk:** Item 1, standing in the name of the Honourable Member, Ms Millard.

**Mr. Speaker:** Is the Honourable Member prepared to proceed with Item 1?

**Ms Millard:** Yes, Mr. Speaker.

**Mr. Speaker:** It has been moved by the Honourable Member from Ogilvie, seconded by the Honourable Member from Hootalinqua, THAT the Annual Report of the Northern Yukon Research Project be tabled in this House.

*Motion agreed to*

**Mr. Speaker:** We will now proceed to Motions.

#### MOTIONS

**Madam Clerk:** Item Number 1, standing in the name of the Honourable Member, Mr. Lengerke.

**Mr. Speaker:** Is the Honourable Member prepared to discuss Item 1?

**Mr. Lengerke:** Yes, Mr. Speaker.

**Mr. Speaker:** It has been moved by the Honourable Member from Whitehorse Riverdale, seconded by the Honourable Member from Ogilvie, THAT it is the opinion of this Assembly that immediate action be taken in connection with the Alaska Pipeline Project to implement a Yukon Impact Information Centre similar to that as recommended by the Lysyk Report, to be funded by the Federal Government, and such a centre be controlled by a board of directors composed of representatives of community interest groups, industry, labour and government.

Further, that such a centre be initially staffed to a maximum of three persons with a review to be carried out with respect to the operation and effectiveness of such a centre by the Government of Yukon after twelve months operation.

The Honourable Member from Whitehorse Riverdale?

**Mr. Lengerke:** Thank you, Mr. Speaker, I am sure Members are aware, and I am sure the general public are very much aware of the fact that there is a need for a pipeline impact information centre. I think, Mr. Speaker, this is one of the concerns of the citizens of the Yukon. They need to know now that somebody is monitoring, or keeping tabs on, the changing trends that are happening today, with respect to the

new economic thrust that is upon Yukon, and that will certainly have an effect on the quality of life of all Yukoners.

The motion, Mr. Speaker, calls for immediate action. I think that's certainly a good part of this motion. It also suggests that there be a limit to the size and to the staff of such an impact centre. I think the thing that is wrong with the motion, Mr. Speaker, and I would expect that in discussion with respect to the establishment of such a centre, that I call for the funding by the Federal Government.

I think this is probably good from the sense that we like to have funds provided by the Federal Government, but I also feel, Mr. Speaker, that having thought about this considerably, maybe the better way would be to be independent of the Federal Government with respect to such a centre.

Perhaps an amendment will come forth regarding that.

I would also say that such a centre doesn't have to be a major one in terms of staffing. I expect that two or three persons, certainly co-operating with the Territorial Government, the Federal Government and private enterprise, can accomplish the things desirable, accomplish the type of information that is readily available for the people, for the public. I don't envision this to be some great research project for the University of Canada North, or some other University.

I think the University of Canada North is an excellent vehicle for this type of centre to man, but again, as I say, I would like to keep it small, versatile and independent.

Certainly, we have to analyze what is happening with respect to the areas of rent control, rents, real estate prices, wage rates, consumer complaints, accommodations, services in transportation, and so on, Mr. Speaker. I realize that many Government departments will be monitoring this type of thing, but I think there has to be a co-operative approach to it, and an independent approach.

I would expect that the Centre would work very closely with the other provinces who are also concerned with pipeline development. I think it would be an excellent idea to co-operate totally with Alberta, British Columbia and Saskatchewan in this, and, for that matter, Alaska as well, because we can certainly gain a lot in setting this type of an organization up.

I know, Mr. Speaker, that the Impact Centre was mentioned in the Speech from the Throne. I have been waiting to see exactly what the Government has in mind with respect to this, and I was very hopeful, Mr. Speaker, that we would have information now, and I am just wondering, I suspect that we will probably get information closer to the end of this Session, and then it will all hurry through, and we will have to make decisions in haste. I would expect that we should have this information today, about what the Government has in mind for the setting up of an Information Impact Centre.

It is essential that this be put in place today, and not—yesterday, for that matter. We should have this, it should have been in place. It is a very priority item, as far as I am concerned. If we do not put in an information data-gathering centre now, we will not be accurate in trying to establish exactly what the trends are, and how to cope with the problems that may be before us.

**Mr. Speaker,** I would say that if it takes three days, or four days, or whatever, that today we should deal with this problem, and solve it, and make some decisions about it.

**Mr. Speaker:** Is there any further debate?

The Honourable Minister of Human Resources.

**Hon. Mrs. Whyard:** Mr. Speaker, I am most sympathetic to the Honourable Member in putting forward this Resolution. I happen to believe that you must not only be doing something about the problems, but the public be able to see you doing it, and I have personally been trying to get some kind of action in

this direction since last summer. I would like very much to have seen even one small store front, down on Main Street, with a sign saying "Pipeline Impact Centre".

If you had nothing in there but a telephone and a girl at a desk, we would at least have been accomplishing something, and the citizens of this country would have known where to go to say what they wanted to say, and ask the questions they wanted to ask.

I am perfectly in sympathy with the objective of this motion. I have some problems with the way it is phrased, Mr. Speaker. Our problem, I think, is that there is so many levels of government involved in this, that we are going to have layer upon layer, again. I think all of us who had an opportunity to visit Fairbanks, were most impressed by the Community Centre there, which officiated, from the beginning of the impact period of their pipeline. And this was composed of community representatives. A small committee, which met every week with people from each area involved who were knowledgeable and working in that area, pooling their information and their solutions to the problems which were arising. I have great respect for that kind of a committee.

I do not want to see a board of Directors. I want to see people who are actually working on the problems. That of course, was at a municipal level. I know that Her Worship, the Mayor of Whitehorse, has similar ideas and would like very much to be operating already in that kind of context, but I understand, has been waiting for some kind of indication from senior governments as to which way this is going to go.

All of us have heard the Minister of Indian Affairs and Northern Development in the last ten days, saying there will be action taken on the installation of an impact information centre and I believe he said that within a month we would hear something or by the end of the month anyway.

In the meantime, Mr. Speaker, I know that people are working on impact information, throughout this Government, that there are people actually patrolling the increases in rents and so on throughout the Yukon communities. I have established my own little Flo Whyard Impact Information Centre, in my branches. I get a little piece of paper every Monday, on my desk, from Health and Human Resources, and from the Detox Centre, and from the other contact points with the public, telling me how many new clients we have accumulated within the past week, and whether or not they are here because of the pipeline. So, I am watching the trends in my own department.

I just have every sympathy for the Honourable Member, and I hope that this Centre, whether it is a Federal-Territorial-Municipal one, or whether the City will act on its own in co-operation with this Government, or whether the Senior Government is going to set up a whole echelon of its own, I have no indication at this time.

I would just like to see somebody get it all together and do it soon.

**Mr. Speaker:** The Honourable Minister of Education.

**Hon. Mr. Lang:** Mr. Speaker, further, to add to what the Minister has just stated, I do know that there are people within our government that are working on the various concepts that could be applied to forming an impact centre, and it is expected that a paper should be brought before the Legislature here within the next couple of weeks, in respect to it.

So, I think, prior to voting to this particular motion, I think that all Members should have a look at the various options that will be presented before the House, in respect to the Impact Centre, and a decision should be made at that time, so that we can look at the financial obligations and just exactly how it would function. I think there are three or four different ways a person could go in respect to this particular centre being created.

So, with that, Mr. Speaker, I would like to move a motion that the motion, Resolution Number 2, be moved in Committee of the Whole for further discussion.

**Mr. Speaker:** It has been moved by the Honourable Member from Porter Creek, seconded by the Honourable Member from Pelly River, that Resolution Number 2, respecting the Yukon Impact Information Centre, be referred to Committee of the Whole.

This is not a debatable motion, I am afraid.

*Motion agreed to*

**Mr. Speaker:** We will now proceed to Public Bills.

*PUBLIC BILLS*

**Madam Clerk:** Second reading, Bill Six, *Labour Standards Ordinance*, standing in the name of the Honourable Mr. Lang.

**Mr. Speaker:** The Honourable Member from Whitehorse Porter Creek.

**Hon. Mr. Lang:** Next sitting day, Mr. Speaker.

**Madam Clerk:** Second reading, Bill 8, *An Ordinance to Amend the Partnership Ordinance*, standing in the name of the Honourable Mrs. Whyard.

**Mr. Speaker:** The Honourable Member from Whitehorse West.

**Bill Number 8: Second Reading**

**Hon. Mrs. Whyard:** Mr. Speaker, I move, seconded by the Honourable Member from Whitehorse Porter Creek, that Bill Number 8 be now read a second time.

**Mr. Speaker:** It has been moved by the Honourable Member from Whitehorse West, seconded by the Honourable Member from Whitehorse Porter Creek, that Bill Number 8 be now read a second time.

The Honourable Member from Whitehorse West.

**Hon. Mrs. Whyard:** Mr. Speaker, this is the *Partnership Ordinance*, amended to provide for registration of partnership names under the same controls as we imposed recently in changes to the *Companies Ordinance*. This deals with corporate names and we feel that it is a further step toward consumer protection, and will cover a number of areas which were not covered in our changes to the *Companies Ordinance*.

In order to make the two Ordinance compatible, these changes are brought before you now.

There will be minimal cost to the businesses involved, a matter of five dollars to register an approved partnership name.

Thank you, Mr. Speaker.

*Motion agreed to*

**Mr. Speaker:** Shall this Bill be referred to Committee of the Whole?

**Some Members:** Agreed.

**Mr. Speaker:** So ordered.

**Madam Clerk:** Second reading, Bill 9, *An Ordinance to Amend the Workmens Compensation Ordinance*, standing in the name of the Honourable Mrs. Whyard.

**Mr. Speaker:** The Honourable Member from Whitehorse West.

**Bill 9: Second Reading**

**Hon. Mrs. Whyard:** Mr. Speaker, I move, seconded by the Honourable Member from Whitehorse Porter Creek, that Bill Number 9 be now read a second time.

**Mr. Speaker:** It has been moved by the Honourable Member from Whitehorse West, seconded by the Honourable Member from Whitehorse Porter Creek, that Bill Number 9 be now read a second time.

The Honourable Member from Kluane.

**Mrs. Watson:** Mr. Speaker, with all respect, I would certainly prefer not to have the amendment to the *Workmens' Compensation Ordinance* read a second time at this time, for the simple reason that the Annual Report of the Workmens' Compensation Board, for the year 1976, was just tabled this morning and in order for us to be able to speak knowledgeably on the principle of the amendments to the Workmens' Compensation Board, we should have an opportunity to review that report.

So, I would hope that the Member would prefer to give second reading on the next sitting day.

**Mr. Speaker:** Any further debate?

The Honourable Member from Whitehorse West.

**Hon. Mrs. Whyard:** Mr. Speaker, the changes in this Ordinance range from a proposal to revise the name itself from "Workmens" to "Workers", in line with currently excepted role of women in the labour force, to increases in pensions for widows and children and the addition of a new class of industry to be covered in the Yukon, merit rebates for employers whose safety records are good, and increased assessment rates.

Mr. Speaker, the matter of the assessment rates will be covered in a White Paper, which has been prepared for your information in conjunction with the Annual Report of the Workmens' Compensation Board and the Report of the Auditor General on our Fund.

We will not be asking Members to consider this Ordinance in the next few days, Mr. Speaker, because we hope to bring, for your assistance during discussion in Committee, our consulting actuary from Vancouver, who has been very much involved in the recommendations for these changes. There will be sufficient time for all Honourable Members to study these matters, prior to discussion, Mr. Speaker, because we require a minimum of three to five days notice to obtain the services, on an uninterrupted basis, of this consultant.

In our general approach, Mr. Speaker, we have undertaken the first full-scale review of operations of the fund, since it was set up on October 1, 1973, after the *Workmens' Compensation Ordinance* was revised to establish a separate accident fund for the Yukon. That was our first experience on our own, and assessment rates were set after consideration of Yukon requirements, based on the experiences of the Alberta Compensation Fund.

It was expected, at that time, that these rates would require a minimum of change for a period of three years, during which time enough data would be available from our experiences on which to base future requirements.

Accordingly, after that three year period, your Government has now reviewed the past three years and has consulted actuarial experts in this field to assist in our assessment of the funds' current position and future outlook.

It is now imperative that changes be made. Since the fund was set up, we have experienced a doubling of hospital rates per day, increases in medical fees annually, air transportation has sky-rocketed, drugs and medication have increased, as well as a 29.2 per cent increase in the amounts of compensation payable.

Throughout this initial three year period, the pay roll, the assessable pay roll rates paid by employers in the Yukon, have basically remained the same.

It resulted in a number of industries moving into a deficit position. Our consulting actuary proposed immediate increases in rates after reviewing our position. But as these were quite large, in some cases, for some industries, the Workmen's Compensation Advisory Board recommended

implementing them gradually over a three year period. We are trying to be fair to all the employers in the Yukon in this way. The new industry classifications and revised rates for 1978 have now been established and are explained fully in a White Paper which will be tabled for your information.

In addition, you now have before you the annual report of the Workmen's Compensation Fund for the year ended December 31st, 1976, presented by the Administrator of the fund, Mr. Brian Booth. I would direct your attention to the general remarks prefacing that report detailing, the number of claims, employers, assessments, rehabilitation and accident prevention, as well as the appointment of a new Workmen's Compensation Advisory Board a year ago, chaired by H.J. Taylor, including Messrs. B. Moore, Gordon Wagner, and Tom Walton, which meets every month.

An accident prevention officer was added to that staff last year as well, and new accident prevention regulations were drafted.

First aid programs were provided through an agreement with St. John Ambulance at no charge to workers.

Also available to Honourable Members in their study of these amendments, Mr. Speaker, are copies of the report of the Auditor General on the fund. There is also available a special review by our consulting actuaries and their recommendations.

We have made preliminary arrangements to have the actuary with us in committee during consideration of the Bill with Mr. Booth, and I would point out to Honourable Members we require a minimum of three to five days notices and we would appreciate receiving some indication from Committee, as soon as possible, their wishes in this regard.

Mr. Speaker, I do not intend to list the proposed amendments at this time. That can be done prior to Committee's study. But I would like to express my personal support for these changes. The first priority, in my opinion, was to increase the shamefully low level of pensions paid to widows and children of Yukon workers.

Mr. Speaker, if no one else in this government had asked for amendments in this Ordinance, I would have. Those pensions had dropped well below every other jurisdiction in Canada, except Prince Edward Island. Mr. Speaker, I hope I have the sympathy of some members of this House when I tell you that when I inquired as to why pensions to widows were so disgracefully low in the Yukon, I was told, Mr. Speaker, that former members in this House had agreed to those minimum amounts in order to encourage widows to remarry and get off the list.

Mr. Speaker, I cannot believe such a thing, and I would solicit the support of all members on changes to this section. Even with annual increases since 1975, after we took over this fund, totalling some 30 per cent, those pensions are still less than the amounts paid to widows and children in all other western and northern areas of Canada.

We are now recommending that widows pensions be increased to \$275 per month, and children's pensions to \$90. This, together with the Canada pension payments, will give an average of \$650 per month to a widow with two children. At least livable, and in line, but still lower than most other areas.

The increase will not affect the assessment of employers significantly, Mr. Speaker, amounting only to some \$12,000 per year. Mr. Speaker, we are proposing to extend Workmen's Compensation coverage to flight crews in the Yukon for the first time, at the request of Yukon operators.

Alberta and Northwest Territories extended this coverage last January 1st, and Yukon employers then found themselves facing an increase of private insurance rates of approximately 50 per cent. An assessment rate has been established,

after consultation with our actuary, and will cover both ground and air crews. Another step taken to provide additional protection for Yukon workers will allow the injured worker and his doctor to have input into the nomination of the medical specialist required, when a panel is set up to investigate compensation problems affecting that worker's disability.

This is done in Alberta and BC, Mr. Speaker, and we feel it should be the custom here. We are also recommending a new section to provide for immediate payment for transportation of an injured worker to a doctor or a hospital, and we will proceed later to collect that amount from the employer, in the same manner as an assessment. This should solve the problem of some air transport companies who have had difficulties collecting for such flights, and will put the priority where it should be, Mr. Speaker, on getting the injured worker to medical help the fastest possible way.

Mr. Speaker, another section which supports my belief that this Ordinance is a good one for the Yukon, recommends that a merit rebate system be established for employers. A very fair treatment for Yukon employers, where safety records are good. On the other side of the ledger, a new section provides for levying of penalty on an employer who refuses or neglects to make payroll returns, and during that period of default, a worker has been injured. The employers who are contributing on time to the fund are paying the costs for that injured worker, now. We intend to recover some of that lost revenue from the defaulting company.

Another word regarding the merit rebate system, Mr. Speaker. Alberta and BC have many large employers with their head offices in those provinces, and they derive the assessments from the payrolls of those office workers. We in the Yukon get the high hazard employees, who work in the field for a short period of time. With the merit rebate system in effect, our Yukon employers, who operate all year, will get 25 per cent of their rate back, and the outside employers who do not operate here all year will be paying the higher rates.

Mr. Speaker, after our recent experiences in this House, I hesitate to mention the word pipeline in connection with any of our legislation, but, impending pipeline construction has an inherent connection with any sections of a compensation Ordinance. I will simply pass on the advice of our consulting actuary. If there is an influx of new industrial activity into the Yukon, then the rates for such industries must be increased immediately, for new employers at least.

There is a great danger to our Compensation Fund, in allowing employers to have coverage for their workers at present, inadequate rates and then finding that those employers have left the Territory and cannot be called on to pick up any of the deficits.

Finally, Mr. Speaker, may I draw the attention of Honourable Members to another instance of how far this Government is willing to go to provide for in-put from Yukon's elected members. In all other jurisdictions in Canada, the setting of assessment rates is not a political decision, but strictly a matter for the Workmens' Compensation Boards, which meet annually with employers, associations and groups, and explain to them the rate structure already established. Here we go an extra mile, Mr. Speaker. We look forward to the assistance of all Honourable Members during Committee discussion of this Bill and we place a high value on the experience of a number of them, who are much more familiar with labour and working conditions than I am.

Mr. Speaker, the Yukon's Compensation Fund has now received a thorough review, after its first three years of operation. Changes are required. These changes are before you in the proposed amendments in the Ordinance. We are ready with background information and expert witnesses to assist

you in their consideration.

Thank you, Mr. Speaker.

**Mr. Speaker:** Is there any further debate?

**Mrs. Watson:** On a Point of Privilege, Mr. Speaker. I find it most regrettable that the Minister was so insensitive to the wishes expressed by myself, and I am sure, other Members of this Assembly. Her speech on the principle of the Bill was commendable, but she should have also been prepared to give us the opportunity, with the Annual Report of the Compensation Board, to prepare, because that is a necessary document.

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

**Mrs. Watson:** To prepare...

**Mr. Speaker:** Order, please. I believe the Honourable Member is ranging into debate and has no Point of Privilege.

*Motion agreed to*

**Madam Clerk:** Second reading, Bill 10, *Elections Ordinance, 1977*, standing in the name of the Honourable Mr. Lang.

**Hon. Mr. Lang:** Next sitting day, Mr. Speaker.

**Madam Clerk:** Second reading, Bill 11, *An Ordinance to Amend the Interpretation Ordinance*, standing in the name of the Honourable Mr. Lang.

**Hon. Mr. Lang:** Next sitting day, Mr. Speaker.

**Madam Clerk:** Second reading, Private Members Public Bill 101, *An Ordinance Respecting the Legislative Assembly*, standing in the name of the Honourable Member, Mr. Hibberd.

**Mr. Speaker:** The Honourable Member from Whitehorse South Centre.

**Mr. Hibberd:** Next sitting, Mr. Speaker.

**Mr. McCall:** Mr. Speaker, I would move that Mr. Speaker do now leave the Chair and the House resolve into Committee of the Whole.

**Mr. Fleming:** I second that.

**Mr. Speaker:** It has been moved by the Honourable Member from Pelly River, seconded by the Honourable Member from Hootalinqua, that Mr. Speaker do now leave the Chair and that the House resolve into Committee of the Whole.

*Motion agreed to*

*Mr. Speaker leaves Chair*

#### COMMITTEE OF THE WHOLE

**Mr. Chairman:** The Chair now calls this Committee to order and declares a brief recess.

*Recess*

**Mr. Chairman:** I call Committee to order. Mr. Lengerke?

**Mr. Lengerke:** Mr. Chairman, I have a request of Committee, and I would be remiss if I didn't make this request. It is with respect to the motion on the establishment of the pipeline project impact information centre, and, Mr. Chairman, I would ask Committee to consider if we could deal with that matter now.

Mr. Chairman, I think it is of utmost importance. I feel that the Government certainly has had a long enough time. In fact, certainly the government of Yukon have put forward many suggestions and representation to Lysyk that such an information centre should be set up. I think they have had ample time over a summer to discuss it. They have told us in the Speech from the Throne that they have people that have been working on the matter. We are advised that a paper is forthcoming, but, as I said earlier, Mr. Chairman, I think that should be ready now, and I would like to deal with that matter today.

I think witnesses could be called. Certainly the people that are on such a committee could be called, We could get suggestions there, and anybody else that we have felt, from the representation that has been made, from the organizations such as the Chamber, and the Chamber of Mines and the native groups and so on.

Mr. Chairman, I really feel very strong that this matter should be dealt with. Today, now.

**Mr. Chairman:** There are two matters before Committee that need attention fairly promptly. One is the one that you allude to; the other is the Electoral Boundaries Commission Report.

I would suggest that we do deal with these within the next day or so. I am concerned that the White Paper regarding the impact centre is not yet available, and I understand it will not be available for seven to ten days. So I understand from what you say that you would request that we go ahead without that.

**Mr. Lengerke:** Yes, Mr. Chairman.

**Mr. Chairman:** What is Committee's request?

Mr. McKinnon?

**Hon. Mr. McKinnon:** Mr. Chairman, if I could just explain the YTG's involvement to date in this impact centre. Mr. Chairman, the responsibility of the YTG from day number one, with the announcement of the signing of the agreement on the pipeline, has been to lobby consecutives constantly, and I think effectively, the Federal Government into putting those things in place which we felt had to be done immediately to allay the fears and suspicions of the people of the Yukon that we represent.

If the government of the Yukon could have put a monitoring agency into effect the day after the announcement of the pipeline, we would have done it. But, that would have just been a false effort on behalf of the Government, because everybody knows that the total of the involvement of the regulating authority is on land and under legislation of the NEB. All we could do was pressure, cajole, keep up, by letters, by person representations, asking the Government to be involved as early as humanly possible in the setting up of the regulatory authority. We also knew that the impact centre was needed the day after the announcement of the pipeline.

My colleague, the Minister of Human Resources, at every instance, was the prominent figure in putting forward the position of the YTG to all of the Federal Government agencies, that this was an absolute priority and necessity.

I say that it was a result of this Government's pressure on the Federal Government, the Minister of Indian Affairs and Northern Development announced that they were ready to go with the impact agency in the immediate future. I know that if this Government had not taken the lead, and had not been as effective in their lobbying, that this question would not still be addressed by the Federal Government. I know that, I'm happy with that, that we were the effective voice in determining that the Federal Government was going to establish an impact centre as soon as possible a date as we would like to see done, not as soon as possible because we would like to have seen it done before.

That brings us to the question of what type of an agency. Now there is an myriad of ideas from every person you talk to as to what the Impact Centre should be. We, prior even to the Minister saying that the Impact Centre was going to be a priority, we had our people at work drawing all these diverse opinions together, which they are still doing, in an attempt to lay before the Legislature, all the variations of the way the Impact Centre could go, drawing primarily from the Alaskan experience, which is the one right next door, who knew they made mistakes in the first instance in their regulatory

agency, and are switching their concept of it at this time is still in a state of flux as to what their final decision was and we are trying to monitor that on a daily basis to get most up-to-date information to Members of this House.

Now, of course, it is obvious that in all of these parameters, there is really three major things that can happen. One, it can be a total, independent agency, with full large funding, from some, either of the Applicant, the Federal, the Territorial Government, or some type of cost-sharing that would go to a completely independent agency and researchers to be able to conduct this Impact Centre.

The other end of the spectrum, of course, is that it is government agency that uses taxpayers' funds to employ information gathering authorities that are already there and get more people to be able to have this Impact Centre run properly. Of course, in all of these ideas is a mismatch of both some independence and some government.

Now these are the problems that are being digested brought forward to the Legislative Assembly to make a decision on what type and what kind of agency the Honourable Members want to see and what they will give their support whether it is a combination of these events or not.

I really believe that this motion shows the urgency of the situation. I believe that this Government has taken the lead impressing upon the Federal Government that there is urgency to this situation. The Minister allowed that that decision should be made within a month, to set up such an agency, and I think that we can have all of the material available to discuss the set-up of the type of Impact Centre that the Members want, within a couple of weeks, with the Green Paper with the different ideas of people who have been at work at for some time, available to all Members.

So, I am not going to, I am not, I refuse to sit here and talk that the Territorial Government has not been involved in it from Day One. I know the involvement of the Territorial Government since Day One, I know that we made, from the signing of the Agreement, the lobby to the Federal Government on behalf of the people of the Yukon, that this Impact Centre had to be a priority and we would have to go ahead with it, regardless of Federal Government involvement, if they were not going to be involved, but it was much better for them to be involved in any such Impact Centre, and I think that through the effective lobbying and pressure of the Government of Yukon on behalf of the people of the Yukon, that we are at least within a period of time that we can see, to be able to open the door to such an Impact Centre, on the basis that the elected Members want to see such an Impact Centre run and funded. That is the material that we are gathering and we have been, since the signing of the agreement, and we are coming to the ability of being able to prepare it and put it before Honourable Members.

I think that that is the time that we should discuss the context of the motion and also the various routes in which we are capable of going, with the one purpose in mind that we all have, of getting the best, most effective Impact Centre and the best use of the taxpayers' dollars for the running of such an Impact Centre.

I think that we can see, which I did not believe about a month ago, some light at the end of the tunnel on this one.

I do believe that that would be the best way for Committee to approach this urgent situation, which is the situation that we have considered to be urgent from Day One, Mr. Chairman.

**Mr. Chairman:** Thank you, Mr. McKinnon. Mrs. Watson?

**Mrs. Watson:** Mr. Chairman, I have a bit of a problem with this motion at this time. I also have a bit of problem with the remarks that the Honourable Member just made. I don't think that it's a question of laying blame at the door of YTG, or

laying blame at the door of the Federal Government, or of what it is. It's a question of what decisions are we going to make, what recommendations are we going to make, regarding a Yukon Impact Information Centre?

I would have hoped, and I think I can speak for most of the members, that the paper that the Honourable Member was talking about would have been available to us by now. It is not, so I am quite prepared to wait until it is. I don't think two weeks, three weeks, is going to make that much difference at this time. I would much sooner do it well, and make sure that we know what we are setting up, to make sure that we are not setting up an agency that within a year or two should require another monitoring agency to monitor it. Because it could become an octopus, if we are not careful, and that is the last thing we want to have happen.

I am most reluctant at this time to be rushed into any structure that we would be sorry for establishing a year from now, or two years from now, or by the time the pipeline is finished. So, for goodness sakes, let us make sure we know what we are establishing.

As I read this motion, this motion reads as a Yukon Impact Information Centre. It is not a Yukon Impact Information Centre, it is a Whitehorse Impact Information Centre. There is nothing that shows how this centre will operate in other communities. There is nothing, and I could not support any impact centre that is called a Yukon Impact Information Centre, which would be supported by this House and by this government, that didn't make provision for monitoring the impact of the pipeline throughout the Yukon Territory. Too often we have the lobbying, the population, the interests in Whitehorse, and every government structure, or every structure that is established, is structured to accommodate this one specific area, and it behooves us to make sure that we don't fall into this trap time after time. For that reason, I would hope very much that the Honourable Member and the seconder who proposed this motion, do not force us to vote on it today, because I would have to vote against it.

Yet, I feel we need an impact centre. But, I would not support something that I don't know the details of, and I don't know what I am creating. I would sooner say no than be responsible for creating an albatross, or an octopus. We may be creating something very good, but I want to know whether we are.

So, Mr. Chairman, I would hope very much that we are not forced into a vote on this today, that we do wait until there is information available from the Territorial Government people, who are supposed to be looking at this, and who have been making trips to Alaska. We haven't made the trips to the Alaska. We're not familiar with what happened there, and what is still happening.

We pay these people to go there, let's get some of the observations that they had transferred into some type of proposals. Let's at least do that, or why send them?

Then, I think we are in a much better position, if we properly do our homework, properly decide on something after the information is given to us, then we can go to the Federal Government and say this is what we have thoroughly researched, and this is what we feel should happen in regard to an impact centre in the Yukon Territory, and then go to them for cost sharing, or even for rent to establish it. But let's do it properly and get our homework done.

**Mr. Speaker:** Mr. Lengerke.

**Mr. Lengerke:** Thank you, Mr. Chairman. I would first want to clarify one thing. First, really no one said that YTG was not involved, at least I did not. I know well that the Territorial Government has been the leader in this area of concern, and I recognize that, and certainly for the Minister of

Local Government to stand up and say, you know, he has got the fear that we are not recognizing that, is not right, because I do know that the Territorial Government has been doing work in this respect.

It is of concern to the people today what is going on, and they want to witness some direction, and I think it is up to this House to give that direction and do that work and do that homework.

The Honourable Member from Klwane says that an Impact Centre such as this has no concern for the outlying areas. Well, most certainly it will, and most certainly I think Members of this House will make sure that it does. I do not think we have embodied in any Resolution to date, all the specifics, and certainly I would hope that debate and work on this matter would certainly reveal, and make it happen, that Centre such as this would take into account the outlying communities. Certainly all of Yukon is concerned.

I do not want to rush into anything. I do not think I am asking anybody to rush into anything. I think this Committee has to do some work. It can get witnesses, it can find out just exactly what some of the feelings are. We are told that there are people working on this. We have outside groups that are working on it. What is the work of this Committee, Mr. Chairman, if we cannot use our resources at hand and find out, and then make some decisions? Why do we always have to wait for some paper to come along, and then we have to make a mad rush decision at the tailend of some Session, for an important matter such as this? It is time that we did. It is time that we looked at the facts and made a decision what was going to happen.

I am not ready to wait for the Federal Government to come back to me with some proposal. I think this is certainly a Yukon matter and it is up to us to decide.

**Mr. Chairman:** I think there is some difference of opinion here, but I do believe that it is in the interest of Committee that we do have more information forthcoming, and unless you propose a motion otherwise, I would suggest we leave it until the paper is available, which would be approximately in two weeks time.

**Mr. Lengerke:** Mr. Chairman, I would hope that we do leave the motion as it is. I would hope that the Government will try to bring forward the information a little faster than two weeks. I would be quite prepared to leave it as such, because, certainly, we wouldn't be voting on this motion without the information required.

**Mr. Chairman:** The other matter, the Electoral Boundaries report: I would suggest that we continue with the *Motor Vehicles Ordinance*, but, it would be nice to have a break from it, so I would suggest that at three o'clock this afternoon, we do discuss the Electoral Boundaries Commission Report?

Committee in agreement?

**Some Members:** Agreed.

**Mr. Chairman:** We will then continue with the *Motor Vehicle Ordinance* at this time.

We are at present on page 35.

*On Clause 67*

**Mr. Chairman:** Mrs. Watson.

**Mrs. Watson:** Mr. Chairman, this ties in, to some degree, with Section 65 and 66, which discussed the other day,— and 64. I then expressed my grave, grave reservations a person does not fulfilling their obligation of paying the amount that they must pay under a judgment, then we, in order to make them pay-up sooner, can either suspend or take away their certificate of registration, or their operator's licence.

Mr. Chairman, I think this is just terrible. I do not think that this is the ground that should be used to remove an Operator's Licence, or a Licence of Registration, and I would certainly

hope that the Government review this Section before they bring this Bill back, because if not, I will be bringing a motion before the House to have these Sections deleted.

It isn't even a nice way of blackmailing someone to pay something.

If the judgment questions the person's ability to drive, then that in itself would be grounds, possibly, for removing the person's right to drive a vehicle in the Yukon. But just because the person does not pay what they are supposed to pay as part of the judgment, we say we should take away their right to drive. It's repulsive, really. So, if the Government does not change their view on this, I certainly will be bringing in a motion to remove it from the final Bill.

**Mr. Chairman:** Mr. O'Donoghue?

**Mr. O'Donoghue:** Mr. Chairman, we have been reviewing that group of sections, as requested by the Honourable Member in reference to an earlier Section.

*On Clause 68*

**Mr. Chairman:** Mrs. Watson?

**Mrs. Watson:** Mr. Chairman, of the witnesses, what would be the necessity of subsection (3)?

**Mr. O'Donoghue:** Mr. Chairman, a lawyer would be required in order to defend his client, or, if it's a Crown Prosecutor, in order to prosecute somebody, you would want to know what the circumstances are.

**Mr. Chairman:** Mrs. Watson?

**Mrs. Watson:** Mr. Chairman, is there information in the driving record of a person that isn't public information anyway? What would be on the driving record of the person that wouldn't be there as a result of some court action?

**Mr. Spray:** Mr. Chairman, the driving record of an individual shows accidents in which that person was involved. There may have been no charges laid as a result of that accident, and therefore is not public knowledge at that point.

**Mr. Chairman:** Mrs. Watson?

**Mrs. Watson:** Mr. Chairman, wouldn't an insurer have that record?

**Mr. Spray:** No, Mr. Chairman, not automatically. If it's a reportable accident, it is reported to the RCMP, there may not be any charges laid, and unless the insured reports it to his insurer, the insurer would not have knowledge of it if no claim was made. It may be underneath your deductible, or you may choose not to make a claim on your insurance company, therefore the insurance company may not know of the accident.

**Mr. Chairman:** Mrs. Watson?

**Mrs. Watson:** Mr. Chairman, how would the Registrar then know to put it on the driving record?

**Mr. Spray:** Mr. Chairman, we receive reports from the RCMP of all accidents that have been reported and documented by them.

**Mr. Chairman:** Mrs. Whyard?

**Hon. Mrs. Whyard:** Mr. Chairman, I wonder if the witnesses can assist me, because it could also be that there would be confidential medical information known to the Registrar which would not be public regarding restrictive driving conditions, or special equipment required, or whatever. Maybe I don't want everybody to know I have got a wooden leg.

**Mr. Spray:** No, Mr. Chairman, that information would not appear on the driving record, that would appear on the records of the operator's licence for that individual.

**Hon. Mrs. Whyard:** But Mr. Chairman, that is confidential information?

**Mr. O'Donoghue:** Yes, Mr. Chairman.

**Hon. Mrs. Whyard:** Yes, thank you.

**Mr. Chairman:** Mrs. Watson?

**Mrs. Watson:** Does this give them the right to disclose that confidential information?

**Mr. O'Donoghue:** It's not an easy one to answer, Mr. Chairman, but I would think so. I think it would be part of his driving record if it was required for a certain purpose that a person had to drive using eye glasses. I think the insurance company could ask, certainly the opposing insurance company could ask.

**Mrs. Watson:** Mr. Chairman, I would like to get this straight. We were told that confidential medical information is not part of the driving record. What is part of a person's driving record then?

**Mr. O'Donoghue:** Mr. Chairman, strictly speaking the driving record only covers his driving history. It does not cover the preparations for the issue to him of an operator's licence, but if in a proper case there was a car crash, and inquiries were made of the Registrar, is John Jones required by the terms of his licence to wear eye glasses, I think that information should be furnished, even though it is not part of the driving record.

**Mr. Chairman:** Mrs. Watson.

**Mrs. Watson:** Mr. Chairman, not unless they are given authority to, under this Legislation. Now, if you are giving them the authority to get the information regarding the terms and conditions of a person's driving record, driving licence, fine, but we are not giving you the authority to disclose confidential medical information that might be on an application.

That is two different things. What a person puts on an application, and the terms and conditions that go on to a licence. The terms and conditions of a licence I can see being made available to an insurance company, or to a barrister or solicitor and, your driving record, but not the confidential information that a person puts on that application, and this should not be given as a result of this Section.

So, I think we have to be very careful.

**Mr. O'Donoghue:** Mr. Chairman, the two questions are quite separate. One is, what general information can be given by a public official to an inquirer who has a valid interest in knowing, and the other is, district or section, can the driver's record be produced or not produced, and the two should not be mixed up.

**Mrs. Watson:** Mr. Chairman, I was not mixing it up, the witnesses were in their answers. The driving record is a history, the driving history. It has nothing to do with medical. Then, another answer said it may be necessary. I am saying, do not give the medical history, give the terms and conditions, but if it means just the driving history of a person, that is fine. If that is clear for Section 68.

**Mr. O'Donoghue:** Yes, that is clear in Section 68.

**Mrs. Watson:** Mr. Chairman, is the Registrar, in the Department, in the practice of giving out information regarding driving records and confidential information that is on an application?

**Mr. Spray:** Mr. Chairman, the Department does give out information on driving records. We do not give out information from medical histories. The driving records are exactly what they say, the records of the driving history of that individual, and these are made available on a regular basis to insurance companies, primarily, but that does not include medical history from our medical reports.

**Mrs. Watson:** Thank you, Mr. Chairman.

**Mr. Chairman:** Committee will recess until 1:30.

*Recess*

**Chairman:** I call Committee to order.

Further debate of Clause 68?

Section 69

**Chairman:** Mr. Lengerke?

**Lengerke:** Yes, Mr. Chairman, 69.(2) perhaps the question would answer, that \$100,000, is that the limit that we have within our legislation or has that been upped?

**O'Donoghue:** Mr. Chairman, previously it was \$50,000.

**Chairman:** Mrs. Whyard?

**Mrs. Whyard:** Mr. Chairman, for clarification. This financial responsibility card referred to in these sections is in fact the same form we are using now?

**O'Donoghue:** No, Mr. Chairman.

**Spray:** Mr. Chairman, this Section 69 is referring to the insurance coverage, rather than it's proof of financial responsibility by a corporation rather than insurance, in the case that an individual have it through an insurer. It may be a policy which he maintains through an insurer, or it may be some other form of financial responsibility and the card should reflect that, that it is not the same type of coverage as an individual carries, but it does satisfy the two Ordinances.

**Spray:** The cards will be very similar in nature.

**Mrs. Whyard:** Thank you, Mr. Chairman.

On Clause 70

**Chairman:** Mrs. Watson.

**Watson:** Why, then, do you not have the same thing: two, three and four. One applies to corporations, right? Two, three and four applies to individual owners, right?

**O'Donoghue:** Yes, Mr. Chairman.

**Watson:** Why, then, do you have (b) for the corporation, but not a (b) section for individual owners, where you are specifying the amounts in two, but you are not specifying the amount in one. Why is there the difference.

**O'Donoghue:** The difference would arise, Mr. Chairman, in that in (1), the corporation, a corporation would have at least \$100,000 fund to maintain, and it could conceivably go very much higher. This would be a form of trust fund with income coming from corporation to keep up its liabilities, but with no outgo, except where there was a claim against the company's insurance, from itself.

**Watson:** But, Mr. Chairman, my question still continues, why do you make the difference with the corporation and the owner when you are saying the owner who has ten or more vehicles, and is an individual, must have a financial responsibility in the amount not less than \$100,000, but you are not saying that of the corporation. Why? Are they more solvent in your opinion than an owner, an individual owner?

**Spray:** Mr. Chairman, the insurance, or the proof of financial responsibility must be not less than \$100,000, regardless of whether it is by insurance policy, or whether it is by another form of financial responsibility. It applies in all cases, a minimum of \$100,000 if there are ten or more vehicles. If there are less than ten vehicles, then it is adequate to satisfy the liabilities in the opinion of the Superintendent of Insurance, and then the card in subsection (3) is for the financial responsibility that is not by insurance, the card in (1)(b) is on insurance. But the \$100,000 minimum applies in all cases where there are ten or more vehicles.

**Chairman:** Mr. Berger?

**Berger:** Mr. Chairman, maybe my question was answered already. I'll try again. Is this \$100,000 minimum for each individual vehicle, or is it just for a policy that covers say

ten vehicles?

**O'Donoghue:** They cover ten, Mr. Chairman.

**Chairman:** Mr. Berger?

**Berger:** Mr. Chairman, why is it then, that an individual car owner has to have public liability insurance at \$75,000, who only has one vehicle. In that particular case there are ten vehicles involved and then, say, three of them have an accident on the highway at one time, \$100,000 would never be enough.

**O'Donoghue:** That's correct, Mr. Chairman. It wouldn't be enough in the coincidence of more than one vehicle having an accident at the same time.

**Chairman:** Mr. Berger?

**Berger:** Then, Mr. Chairman, where is the safeguard for the general public in it? On one hand we are demanding from the general public a massive amount of insurance of \$75,000. On the other hand, we leave what I would consider to be a loophole here for large operators and corporations.

**O'Donoghue:** Mr. Chairman, it's because a person of this type, either a corporation or a person, a human person, would have bigger assets from which a collection could be made in the event of an accident.

**Chairman:** Mr. Berger?

**Berger:** Mr. Chairman, I beg the pardon of Mr. Legal Advisor, I am aware of a lot of companies who are operating on a shoestring. Their assets are in their equipment which are usually owned by financial corporations, because they make the payments. They do not have the assets of \$100,000 or more. So how does their financial responsibility come into that?

**O'Donoghue:** Mr. Chairman, if the Honourable Member would read the first line in paragraph (a) of subsection (1) of Section 69, he will see that the corporation must maintain a separate insurance fund. So, they must maintain this as a separate fund. It must be a trust fund or cash of some sort, which is immediately available and cannot be touched for any of the business operations of the company.

**Chairman:** Mr. Berger.

**Berger:** This is in case of a corporation, but was it in case of Section 2?

**O'Donoghue:** I can't really give an answer to that, Mr. Chairman, it is a question of saw-off. They are not attempting to have a separate trust fund in the case of individuals, but they are in the case of companies, but, nonetheless, the individual must satisfy the Registrar, or, rather, satisfy the Superintendent of Insurance that he has untouched assets, which will be available to pay a judgment against him, if that occurs, in the amount, if it is ten vehicles, \$100,000, if it is less than ten, then whatever the set amount is, and, I would guess to be, \$75,000, after this Ordinance is passed.

**Chairman:** Mr. Spray.

**Spray:** Mr. Chairman, the \$100,000 is a somewhat arbitrary figure, as is the \$75,000 in this Ordinance, in the case of an individual. The Provinces in Canada go from \$35,000 minimum requirement on public liability and property damage, up to \$100,000.

In some cases, \$100,000 is not considered adequate, but it is an arbitrary figure, at the very most, that you feel you can impose on an individual or a corporation.

In some cases it might be much more satisfactory if we could put \$250,000 in here, but we just have an arbitrary figure that we have reached and feel that this is probably the amount that is required, because in most cases you are not going to have two or three accidents at the same time.

**Chairman:** Mr. Berger.

**Mr. Berger:** Yes, Mr. Chairman, maybe I could request from the Administration to have a similar safeguard written in this Section 2, as they have in 69.(1)(a)(b).

**Mr. O'Donoghue:** Yes, Mr. Chairman, the best thing to do is re-examine it in the light of the comments made by the Honourable Members and when the Ordinance comes back, it would have any changes that seen fit to be made by the Administration, in the light of comments.

**Mr. Chairman:** Mr. Fleming.

**Mr. Fleming:** Mr. Chairman, I got some of the answer, I think, but, I was still, really, concerned where the owner of a motor vehicle is a corporation and where the owner wasn't, in the case of an individual owning ten vehicles, and still having that financial backing, would he not then be able to come under this same Ordinance here and be able to insure as the corporation would?

**Mr. O'Donoghue:** Mr. Chairman, in the first place he would be a very foolish man to own ten vehicles on the road and not be a corporation, because he would be precipitating himself into an early bankruptcy. I say, we will examine the situation and make an attempt to line up the situation for individuals, the same as a corporation, and secure the corner adequately.

**Mr. Chairman:** Mr. Berger?

**Mr. Berger:** Mr. Chairman, just a question of general interest. Is ICBC licensed in the Yukon?

**Mr. Spray:** Mr. Chairman, the Insurance Corporation of British Columbia is not licensed to do business in the Yukon Territory, but at the present time until the *Insurance Ordinance*, comes into force we do not license any insurance companies. We will under the new Ordinance, and I do not, at this time, have an indication whether or not ICBC will apply for licencing in the Yukon Territory.

**Mr. Chairman:** Mrs. Watson?

**Mrs. Watson:** Mr. Chairman, the next question is, when will the *Insurance Ordinance* be brought into effect?

**Mr. Spray:** Mr. Chairman, the regulations and the order bringing the *Insurance Ordinance* into force have been prepared and I believe the deadline or the request for proclamation is March 1st.

*On Clause 70*

**Mr. Chairman:** Mrs. Watson?

**Mrs. Watson:** Mr. Chairman, I question, if this piece of legislation passes this House this Session and is assented to by the Commissioner, will you be able to proclaim it in force immediately, or will you have to wait until March 1st?

**Mr. Spray:** Mr. Chairman, the bringing into force Sections of this Ordinance would allow it to be brought into force in parts, and we would hope to bring in the licensing provisions for the new licensing year which is February 1st, and the other sections after the *Insurance Ordinance* is in force and as they are required, as we are ready to implement them.

**Mr. Chairman:** Mrs. Watson?

**Mrs. Watson:** Mr. Chairman, wouldn't the licensing sections tie in with the insurance section?

**Mr. Spray:** Mr. Chairman, the existing *Insurance Ordinance* is still in place, and we will be operating under that. The only other one that is brought in here is the financial responsibility requirements of \$75,000 and this Ordinance also amends that particular section of the new *Insurance Ordinance*. They will be brought in together.

**Mr. Chairman:** You mean this Ordinance is going to be amending the *Insurance Ordinance* that has not yet been brought into force.

**Mr. Spray:** That's right, Mr. Chairman. However, the section amending the *Insurance Ordinance* will not be proclaimed until the *Insurance Ordinance* is proclaimed.

**Mr. Spray:** It is a matter of timing.

**Mr. Chairman:** It could be quite difficult.

**Mrs. Watson:** Where does the guy who wants a licence into this timing? Mr. Chairman, the question, where does the guy who wants to buy a licence and live under the *Motor Vehicles Ordinance*, you know, how does the public tie into this timing.

**Mr. O'Donoghue:** Mr. Chairman, his licence fee sections may go into force in respect to the amount of fee he pays and the classification of his licence. His financial responsibility and his insurance will not change from \$50, until it is \$75 afterwards, but then the policy he has enforced, at that time, will continue in force, notwithstanding that the changes are made, until either the earliest of two things happen. Either one year elapses from that time, or he changes his policy.

**Mr. Chairman:** Mrs. Watson.

**Mrs. Watson:** So we are changing the minimum required for liability insurance from \$50,000 to \$75,000?

**Mr. Spray:** Yes, Mr. Chairman, that change is in this Ordinance.

**Mrs. Watson:** Mr. Chairman, has some research been done by the Government of the Territory to see how this would effect a premium payment of an ordinary citizen who is just getting insurance, with a good driving record, to cover their vehicle, so that they can, to the minimum of \$75,000, what amount of money are we looking at, as far as the operator of vehicle is concerned?

**Mr. Spray:** Mr. Chairman, I am told that we are looking at a \$2 to \$5 premium increase. I am also told that, although our statistics are put together with the Northwest Territories, and we haven't separate statistics on the Yukon, that only 25 per cent of the drivers or the vehicles registered in the Yukon and Northwest Territories, have \$50,000 insurance on their vehicles now. The other 75 per cent have in excess of that amount right now and we are not looking at an excessive premium increase, according to the information we have received.

**Mr. Chairman:** Offences and Penalties.

*On Clause 72*

*On Clause 73*

*On Clause 74*

**Mr. Chairman:** Mr. Fleming.

**Mr. Fleming:** Yes, Mr. Chairman, I am concerned in 73.(1)(c), "fails to maintain his vehicle as an insured motor vehicle", that is all it says. If you go back further, where you have to have the financial responsibility card, that would be only to, I presume, to maintain a vehicle, that responsibility card will only be to have the vehicle that is in operation, that is being used, and yet you say here, "just fails to maintain his vehicle as an insured motor vehicle".

In other words, could I have my vehicle sitting in a yard, the vehicle itself is perfectly all right, but I am not concerned with driving it, and I have no insurance on it, which I don't think I should have to have if I am not going to be using it, and somebody runs into it or so forth and so on, here I would be at fault, according to that section, as I see it. I cannot go along with that one at all, (c), 73 (c).

**Mr. Spray:** Mr. Chairman, this Ordinance applies only to vehicles which are being operated on highways. Highways are those places where the public normally have access with vehicles, so a vehicle which you have stored in your own yard does not have to be insured, because the public does not normally

have access to your yard.

**Mr. Chairman:** It doesn't say that. It says "fails to maintain his vehicle as an insured motor vehicle". The situation that Mr. Fleming alludes to would not seem to be covered. It is not evident that it is.

**Mr. O'Donoghue:** Mr. Chairman, we will look at the drafting, it's not intended to cover a vehicle that is abandoned, it is intended to cover a vehicle in use and perhaps registration is a proof of use. We will look at it, Mr. Chairman.

**Mr. Chairman:** Mrs. Watson?

**Mrs. Watson:** Mr. Chairman, again (2) subsection (b), the Registrar just now stated that we are interested that this legislation applies to motor vehicles that are operated on highways. Operated. Now you say a person who has, on a highway, a motor vehicle that is not an insured motor vehicle. What do you mean by, "has on a highway"?

**Mr. O'Donoghue:** Mr. Chairman, I don't know precisely, but what I take the meaning to be is a drafting attempt to cover the situation where a person operates a vehicle, doesn't have insurance and then walks away from it. It's a question of proving that he operated a motor vehicle. You cannot necessarily prove that he operated the motor vehicle because he ran away. So he commits the offence of having an uninsured motor vehicle on a highway. Now it may be an obstruction, it may cause an accident by being on a highway, but you may not be able to prove what the situation is, that he actually moved it while it was uninsured.

**Mr. Chairman:** Mrs. Watson?

**Mrs. Watson:** Mr. Chairman, is it possible, if you were towing another vehicle, you are operating a motor vehicle that is licensed and insured, but you are towing on a highway, a motor vehicle that is not an insured motor vehicle. Can you do that? You can't under (b).

**Mr. Spray:** Mr. Chairman, a motor vehicle is a vehicle that is designed to be self-propelled. If you are towing a motor vehicle, it is not self-propelled, and the tow vehicle, itself, will be insured.

**Mr. Chairman:** The implication is that every time you stop your car is that it is no longer a motor vehicle.

**Mr. Spray:** You have many instances, Mr. Chairman, where persons are towing another vehicle on a permanent fixed tow bar behind the vehicle in which they are riding. If they are driving a motor home, they may be towing a small vehicle behind them on a fixed tow bar, that is not, at that point, a motor vehicle in the sense of this Ordinance. It is not designed to be self-propelled. At that point it is not self-propelled because it is on a permanent fixed tow bar.

**Mr. Chairman:** Mr. Lengerke?

**Mr. Lengerke:** Does that mean then that the vehicle being towed like in the instance that the witness has used would not have to have insurance on it?

**Mr. O'Donoghue:** Not separate insurance, Mr. Chairman. We have had that problem with the stock car racing in Whitehorse where none of the stock cars were in fact insured. They were allowed to tow them from the garage where they would be getting their usual weekly repairs to the stock car racing track, provided they towed it and used a fixed tow bar without having to register or insure the stock car. They are permitted to do this.

**Mr. Chairman:** Mr. Lengerke?

**Mr. Lengerke:** What happens, Mr. Chairman, if that particular vehicle breaks away and runs into another vehicle, how is it covered then?

**Mr. O'Donoghue:** Well, then, Mr. Chairman, he is committing an offence. If members of the group were in fact prose-

cuted because they used to start by being towed through the environments of Whitehorse, and then undo the chain in some fashion and fly away at 70 miles an hour, so the police took the usual steps to mete out justice in those situations.

**Mr. O'Donoghue:** They reverted to towing instead of a three-wheeler.

**Mr. Chairman:** Mr. Berger.

**Mr. Berger:** Mr. Chairman, I think it is quite interesting, is the self-propelled motor vehicle becomes another motor vehicle and is towed. Why wouldn't it become a trailer, and fall under the trailer regulations then?

**Mr. O'Donoghue:** It is up to the court to operate in common sense, and it is up to the peace officers to use common sense in interpreting the Ordinance. You can drive a coach-and-four through any Ordinance of this Government, I guess, if you do it that way.

**Mr. Chairman:** Mr. Berger.

**Mr. Berger:** Mr. Chairman, shouldn't we just nail this down right now in Legislation, instead of leaving it to the interpretation of the peace officer. I think if we nail it down here, right now, there would be no arguments, because right now I am confused. When is a motor vehicle not a motor vehicle, when is a trailer a motor vehicle, and things like this?

**Mr. Chairman:** There is a definition in the Interpretation Section of motor vehicle, which I think does go beyond what Mr. Spray is stating. "Motor vehicle means a vehicle not run upon rails, that is designed to be self-propelled, but does not include a traction engine or a vehicle used exclusively for mining, forestry, construction, road maintenance or farming operations, and is not primarily designed to carry a load."

**Mr. Fleming.**

**Mr. Fleming:** But, Mr. Chairman, it does say "designed", it does not say that it can be towed or any other word. It says "designed".

**Mr. O'Donoghue:** Mr. Chairman, I am willing to concede a little bit. We look at the sections, Mr. Chairman, and see if we devise a small section which says, in effect, that a motor vehicle is not required to be registered merely because it is on a highway, being towed by another vehicle. Would that meet the Honourable Member's objections?

**Mrs. Watson:** That is better, Mr. Chairman. They should also think very hard of giving us a good excuse for having (2)(b) in.

**Mr. O'Donoghue:** Well, Mr. Chairman, I would like to keep (2)(b) in its present form. There are cases where a non-insured vehicle will be used on the highway, and when the red cherry is seen flashing a mile down the road, the man jumps out and runs away. This is designed purely to catch that, when he has it on the highway. He actually has to have it on the highway.

**Mr. Chairman:** Mr. Lengerke.

**Mr. Lengerke:** In 73.(3), is the language correct there, "registered owner of a motor vehicle that is not an insured motor vehicle"? How can a registered owner be a motor vehicle, or am I reading that wrong? Is that good language?

**Mr. O'Donoghue:** Yes, Mr. Chairman, it seems to be good language.

**Mr. Lengerke:** It is just the way I read.

**Mr. O'Donoghue:** Registration and insurance are two separate things. The car can be registered without being insured.

**Mr. Lengerke:** But this refers to the owner being an insured motor vehicle.

**Mr. Chairman:** Part 5. Mrs. Watson.

**Mrs. Watson:** Why do you not use a registered owner in .(1) and (2), and particularly in .(2)? Why do you change the wording for .(3). I can see in .(1), because you are taking a person who applies for registration, or when he obtains registration without the insurance. But, shouldn't you say in .(2), a registered owner, or is just a person needed to be wider than a register owner.

**Mr. O'Donoghue:** We will look at the point, Mr. Chairman, and see if it does.

**Mrs. Watson:** Mr. Chairman, it may be that Number (3) has to be changed to "a person".

**Mr. O'Donoghue:** Yes, Mr. Chairman.

**Mrs. Watson:** Mr. Chairman, one more question. Why would they require four, I know it is a technicality, but why?

**Mr. Spray:** Mr. Chairman, although the registration of the motor vehicle may be suspended, a person may still take that vehicle on the highway and therefore, we still consider it a registered motor vehicle for the purposes of requiring insurance.

If we do not put that in, then it means that once his registration is suspended, he need not maintain insurance, if he goes contrary to the suspension of the registration, he's not going to be able to be charged for operating an uninsured vehicle. He's not going to have one, he's not going to be forced to carry insurance.

**Mr. Chairman,** in 73.(2): "A person who (a) operates a motor vehicle that is not an insured motor vehicle... is guilty of an offence." The registered owner is not the only person that operates a motor vehicle. If you have one vehicle in a family and it is registered to one individual, the other person who normally operates that vehicle, knowing that it is not insured, is guilty of an offence, and in subsection (3), the registered owner, knowing that it is not insured, should not permit any other person to take that vehicle on a highway, or to operate it on a highway.

So, a person who is insured and registered owner in (3) is actually correct.

**Mrs. Watson:** Yes, you are right. They tie together. One is the borrower, and the other is the lender.

**Mr. Chairman:** Part V, Civil Rights and Remedies.

*On Clause 75:*

*On Clause 76:*

*On Clause 77:*

*On Clause 78:*

**Mr. Chairman:** Mr. Berger?

**Mr. Berger:** Mr. Chairman, just a question. How about the YTG employee who is driving on the highway and has an accident, does this section mean that he has to carry his own liability insurance?

**Mr. O'Donoghue:** No, Mr. Chairman, but it is a good question the Honourable Member poses. Anyone who is employed by another person and includes in his employment the driving of that automobile, is liable, personally, for all the damages he causes in addition to the fact that the owner of the vehicle is liable.

So, that YTG employees are in fact personally liable for damages, but the government moves in in every action where the person was driving in the course of employment, and stands behind him and we will pay the damages.

**Mr. Chairman:** Mrs. Watson?

**Mrs. Watson:** What about corporations in the Yukon who operate fleets of trucks. Are the drivers themselves required to carry insurance?

**Mr. O'Donoghue:** No, Mr. Chairman. In those instances,

the corporation, as part of the contract of insurance, insures both the driver and the owner.

For instance, the White Pass corporation will carry a policy which will make the White Pass responsible and then through White Pass the insurance company and the insurance company also insures against the liability of the individual driver.

**Mr. Chairman:** Mrs. Watson?

**Mrs. Watson:** Mr. Chairman, you say that is not so with the Territorial Government?

**Mr. O'Donoghue:** No, Mr. Chairman, because the Territorial Government does not in fact carry insurance in that way. In any event, as the House knows, the servant of the Crown is responsible personally for any wrongful act that is done by him, on the judgment that the Queen can do no wrong.

**Mr. Chairman:** Outside of these chambers! Mr. Berger?

**Mr. Berger:** Mr. Chairman, I take it then that that policy is still in effect where an employee of the YTG could be deducted pay for the damages paid out by the Territorial Government, then?

**Mr. O'Donoghue:** No, Mr. Chairman. That doesn't happen in practice. There is a board set up, and the board examines every case where a YTG employee is primarily liable for some form of damages, and then assesses an amount, and instead of assessing the employee perhaps \$50,000 for writing off a truck, will assess him a maximum of \$50, I think.

I'm sorry, the maximum is \$200, Mr. Chairman.

**Mr. Chairman:** In Section 76, the fourth line: "damage did not arise by reason of the contravention", the 'of' is missing.

**Mr. O'Donoghue:** What was the question, Mr. Chairman?

**Mr. Chairman:** Seventy-six (1)?

**Mr. O'Donoghue:** Yes, Mr. Chairman, 'of' should be inserted.

**Mr. Chairman:** Part VI, Accident Reports.

*On Clause 79:*

*On Clause 80:*

**Mr. Chairman:** Mr. Fleming?

**Mr. Fleming:** Yes, in (7) and (8), in the instance of a vehicle being struck by another vehicle, and the owner not being present, it goes on to say later on that the owner is responsible for the moving of the vehicle as soon as possible or whatever, and I am wondering about the case where a vehicle was hit and, say, moved into a position where it would cause another accident. There doesn't seem to be anything here to say that the driver, of course, that hit the vehicle would be responsible. Would he not be responsible in this case? It doesn't clarify that?

**Mr. O'Donoghue:** Not necessarily, Mr. Chairman. Sometimes you have an accident which occurred with one, two and then a third vehicle. There, all the fault may be reflected back on the first vehicle, although the collision occurred against the second and third vehicle. The concertina situation may occur.

*On Clause 81:*

**Mr. Chairman:** Mrs. Watson?

**Mrs. Watson:** Mr. Chairman, 81.(1) sounds rather like an impossibility. "Subject to subsection (2), where an accident results in injury or death to a person or in property damage to an apparent extent of \$350 or more, the driver shall forthwith make a written report in the prescribed form." Who has got the prescribed form, forthwith?

**Mr. O'Donoghue:** The police officer carries them, Mr. Chairman, and he questions the driver, he fills in the information and then he says, sign.

**Mrs. Watson:** Mr. Chairman, your peace officer may not

be there.

**Mr. Chairman:** When is it necessary for a police officer to be called?

**Mr. O'Donoghue:** I'm not sure, exactly, Mr. Chairman, but we are talking about now an accident which causes more than \$350. But in any event, forthwith means as soon as possible. He has got to make his way to a peace officer to do this, or to somewhere where he can get the prescribed form.

**Mr. Chairman:** Mrs. Watson.

**Mrs. Watson:** Mr. Chairman, if it is an accident and there are two vehicles involved, both drivers must make out a report?

**Mr. O'Donoghue:** Yes, Mr. Chairman.

*On Clause 82*

*On Clause 83*

*On Clause 84*

*On Clause 85*

*On Clause 86*

**Mr. Chairman:** Mrs. Whyard.

**Hon. Mrs. Whyard:** Mr. Chairman, I am sure we should delete the period at the bottom of 47. It is just a typo.

**Mr. Spray:** Yes, Mr. Chairman.

**Mr. Chairman:** Mr. Fleming.

**Mr. Fleming:** Mr. Chairman, I am a little concerned as to 86.(1). "No person shall commence the repairs or require the repairs to commence in a motor vehicle that shows evidence of having been involved in an accident and required to report it under Section 81, or having been struck by a bullet". I can understand this having been struck by a bullet, however, \$350 damage, I realize, this is not much either, \$250 it was before, I think, but it does put the onus pretty hard on a place, say, along the highway, where a vehicle comes in, you know, a scratch or a bump on a vehicle, \$350 is nothing, really, and yet, that station owner is supposed to recognize the fact that that is there and it was in an accident and so forth and so on, or he can be, possibly, guilty of an offence under this Act further on, of \$100 or some more, I think it is, a \$100, not more than \$500, I think it will be when we get down to the penalties sections. I am just wondering if we are not getting carried away a little in that Section?

**Mr. O'Donoghue:** Mr. Chairman, this section was extensively debated at the time it was brought in, when the amount was fixed at \$200, but the House at that time accepted the principle, but it was very difficult to deal with hit and run drivers unless this Section was in. Now, \$350, as the move up from \$200, and, with respect, Mr. Chairman, I doubt if the repair people up and down the Highway would not immediately recognize what they were seeing as an accident over \$350, and, in all of these places, there are peace officers and in most places, there are several peace officers.

It is a Section which is working well in practice, Mr. Chairman.

**Mr. Chairman:** Part 7, Duties and Prohibitions.

*On Clause 87*

*On Clause 88*

*On Clause 89*

*On Clause 90*

**Mr. Chairman:** Part 8, Powers of Peace Officers and Officers.

*On Clause 91*

*On Clause 92*

*On Clause 93*

*On Clause 94*

**Mr. Chairman:** Mr. Lengerke.

**Mr. Lengerke:** Mr. Chairman, I would just like to go back to 90.(2), for just a minute. It is just a minor point, I was just looking at my draft notes and I just was wondering if this is required now of the dealers, to keep records like this, and, if it is not, and it is going to be, under this Ordinance, are prescribed forms going to be supplied to these dealers or will they accept the records in a scribbler or on a piece of paper, or however, because this, then, you know, starts a new inventory, or the keeping of inventory in a prescribed way.

**Mr. O'Donoghue:** It's new, Mr. Chairman, it's not intended to use the prescribed form, because all of the dealers who are dealing in this at the present time keep adequate records. But if it became necessary, it might be necessary to prescribe forms by regulation. It doesn't appear to be so far, but it might be necessary.

If you viewed Kojak late at night, you would realize the necessity for these sections.

**Mr. Chairman:** Mr. Fleming?

**Mr. Fleming:** Mr. Chairman, I don't entirely disagree with Mr. Legal Advisor, but it is going to put the onus on every little dealer everywhere to keep an inventory, and I don't have any disagreements with that either, if it is in this Ordinance. But I do have a disagreement if it happens to come up in regulations next year that all of a sudden we have to have a prescribed form, and all of a sudden that form has got to be filled in by so many people, and it's got to have this, that, and the other thing. If this is about to happen or might happen, it doesn't go with me at all. I'd like to see that if it's going to be, let's get it into legislation and have it there, and leave it there.

**Mr. Spray:** Mr. Chairman, in drafting this section, it was not intended that we would prescribe forms. The only time that we would be forced into doing that is if the request came from the dealers themselves to have a standard form. But, from our point of view, it is an adequate record showing the vehicles bought, sold, exchanged, dismantled, et cetera. Any form of record which they kept would be adequate, if it had all the information in it.

**Mr. Chairman:** Mr. McIntyre?

**Mr. McIntyre:** Mr. Chairman, I am referring to Section 92.(1) dealing with breathalyzer tests. Isn't this already a provision of the *Criminal Code*?

**Mr. O'Donoghue:** Mr. Chairman, I have already got asked to review it. It shouldn't be found twice, both in our legislation and the *Criminal Code*. I'll check into this, Mr. Chairman.

**Mr. Chairman:** Mrs. Whyard?

**Hon. Mrs. Whyard:** Mr. Chairman, while we are on that subject, Mr. Chairman, just for information, can the Legal Advisor assist me. What is the present status, since the recent ruling in eastern Canada, I believe, on the number of tests and time between them and so on. Has that had any repercussion on the way we are using it?

**Mr. O'Donoghue:** Not to my knowledge, Mr. Chairman.

**Hon. Mrs. Whyard:** Thank you.

**Mr. Chairman:** Wasn't it specified in that Judgment that it had to be more than one test to be valid. It has to be tested more than once to be valide.

**Mr. O'Donoghue:** Mr. Chairman, we always get two tests.

**Mr. Chairman:** But that doesn't say so here. It says one or more.

**Mr. O'Donoghue:** Yes, Mr. Chairman, but my automatic—I can check on this and I think we can take it out. But I want to check it against the *Criminal Code*, but in the *Criminal Code* they always give two tests. In Whitehorse

anyway, Mr. Chairman.

**Hon. Mrs. Whyard:** Thank you, Mr. Chairman, very interesting.

**Mr. Chairman:** Mrs. Watson?

**Mrs. Watson:** Mr. Chairman, if you are checking, are you just going to be checking 92.(1), or is there going to be a necessity to have (2) and (3) in there?

**Mr. O'Donoghue:** Mr. Chairman, it seems to me that 92 should come out as a whole. So, subject to checking, leave it in for the moment, but I think we will be taking it out.

*On Clause 95*

*On Clause 96*

**Mr. Chairman:** Mr. Lengerke.

**Mr. Lengerke:** A question of a general nature, with respect to the place of storage. Have we provided, across the Territory, pounds for this purpose? Is that a suitable place, I mean, is there going to be a storage area that is enclosed, or is it parked behind an RCMP station or behind the local garage or what? What is the intent?

**Mr. O'Donoghue:** No, Mr. Chairman, storage is usually effected by a private garage operation.

**Mr. Lengerke:** Okay.

**Mr. Chairman:** Mrs. Whyard.

**Hon. Mrs. Whyard:** This Section causes me a little concern, particularly where we are dealing with 96.(4), because that immediately implies to me that you have a tourist traveling through this country who has been in an accident, who is hospitalized, unable to do anything about the vehicle, and because he hasn't paid the storage costs for that vehicle, while he was hospitalized, he comes out of hospital and it is gone. Is there some saving clause somewhere that gives us a little bit of leniency so that the guy who is taken off to the hospital, leaving his vehicle behind, without anyone to act on his behalf, won't come out and face a bill for \$1,000 storage. Let us have a little bit of leeway on this.

**Mr. O'Donoghue:** Mr. Chairman, perhaps we have escaped the attention of the Honourable Member, but this isn't a question of a garage having a car and selling it. He has got to get into the Registrar, supply the circumstances and obtain the Registrar's approval. If the owner is in hospital, the owner would be got in touch with by the Registrar or some inquiry would be made, but, it is provided as a safeguard that, in that case, the approval of the Registrar must be obtained, the Registrar then can see that adequate safeguards are imposed.

**Hon. Mrs. Whyard:** Oh, Mr. Chairman, I am afraid that is not quite good enough. Who is getting in touch with the Registrar. The guy is in the hospital. Somebody has said, tow that vehicle away and put it in storage. He doesn't know anything about it, he is out like a light, being operated on by our Honourable friend here. I want to know who is looking after that person's concerns, particularly when it says here that it is a vehicle not registered in the Yukon. Who is looking after the people who come here as visitors and get involved in accidents. I know this is a tough one, Mr. Chairman, because some of these people do not have the insurance we are required to have. I know they are supposed to, but in some instances, they don't and what happens to them?

**Mr. Spray:** Mr. Chairman, technically, the Registrar is looking after that individual's interests, since the vehicle may not be sold or otherwise disposed of without the consent of the Registrar. This provision is put in here because, if the vehicle is stored in a private garage on the Highway, that garage keeper has no way of enforcing his claim for storage costs. The *Garage Keepers Ordinance* does provide for a lien on the vehicle for storage costs and, short of opening up that Ordinance to make that provision, we must put it into this Ordinance

and no vehicle may be disposed of without the prior consent of the Registrar. He would have to be aware, in theory, of all of the circumstances and would have to check with the registered owner.

**Mr. Chairman:** Mr. Berger?

**Mr. Berger:** Yes, Mr. Chairman, I'm quite interested in the storage costs. Are there any fixed fees? Like for example in Dawson, most vehicles are stored behind the RCMP barracks. What storage charges do they lay?

**Mr. O'Donoghue:** Mr. Chairman, I wouldn't expect that the RCMP would charge any storage costs if they stored it in their own compound for a few days. But if they store it in a garage, then there is a storage charge. It can vary from \$2 a day to \$12.50 a day.

**Mr. Chairman:** Mrs. Watson?

**Mrs. Watson:** Mr. Chairman, but why then do you have in 96.(2): "All reasonable costs incidental to the removal of a vehicle pursuant to subsection (1) and the storage thereof, for a period not exceeding six months, constitutes a debt owing to the Commissioner by the registered owner of the vehicle or any subsequent purchaser." So the Commissioner must pay the garage owner for the storage. Then the Commissioner tries to collect by selling the car within thirty days. And you expect the Registrar to be compassionate.

**Mr. Spray:** Mr. Chairman, we have similar provisions not identical to this in the existing Ordinance. We do not put the abandoned vehicles on auction every thirty days. It takes us up to six months to accumulate enough that we will hold an auction. In subsection (4), perhaps we could add in something along the lines that the Registrar will not approve of the disposal of this vehicle that has been unclaimed by the registered owner until he has made all reasonable efforts to determine the wishes of the registered owner with respect to the disposal of the vehicle. That then puts the onus on the Registrar to make all reasonable efforts to contact that owner, some of whom have left the Territory three months prior.

**Mr. Chairman:** Mrs. Whyard?

**Hon. Mrs. Whyard:** Mr. Chairman, I appreciate that peace offering and I would accept it. I don't wish to add additional burdens to the Registrar. He shouldn't have to run around and see everybody who is injured after an accident to see what they want to do about their car. I would hope that peace officers would use a little discretion at the scene and if they know that this guy isn't worth \$10,000 storage charge, they don't go and put it in a garage where it's going to cost him that, you know. I am sure that most of them do use good sense and that we are not sending out storage bills to everybody that has an accident. I hope they are using good sense, Mr. Chairman, is the Registrar shaking his head in a negative way.

**Mr. Spray:** Mr. Chairman, the RCMP are most anxious, and their first duty is to remove that vehicle from a position of obstructing the highway or from a position where it is liable to be vandalized, and they must put it into storage. In many areas they do not have the storage in their own compounds, the Territorial Government does not have a compound. They must put it into private storage. They do use common sense, I must say, but there are some circumstances where they do put it into private storage. They have no alternative.

**Mr. Chairman:** If this vehicle is sold, do I interpret 96.(2) to mean that a subsequent purchaser is liable for the storage costs?

**Mr. O'Donoghue:** No, Mr. Chairman, but he buys the vehicle with that liability, so with all wards, as the expression goes.

No, Mr. Chairman, he doesn't have to buy, but if he buys, he knows that the first charge out of the money is going to be to the Commissioner.

**Mr. Chairman:** Mr. Berger?

**Mr. Berger:** Yes, Mr. Chairman, I am just wondering about the storage charges. I'm still not really satisfied. On one hand, a person who is unfortunate enough to have an accident, he's not liable to pay any storage fee if he is lucky to be in an area where there is enough room in the RCMP compound.

On the other hand, he could quite easily fall in the hands of an unscrupulous operator who is quite interested in receiving the car and charging a high storage fee.

Shouldn't we impose a maximum fee on storage under these circumstances?

**Mr. O'Donoghue:** Yes, if the word "reasonable" is used, in the various sections, I think this would control it, Mr. Chairman, but reasonable imposes a judgment on somebody of what reasonable is.

The other day, a man thought \$12.50 was reasonable for eight hours storage on my car.

**Mr. Chairman:** Yes, what is reasonable to the RCMP security department, might not be reasonable to the leader of the Opposition.

**Mr. O'Donoghue:** No, Mr. Chairman, I think we should not clutter up an Ordinance with prescribing amounts. I think all we can do is put in reasonable where it would be proper to put it in when we are reviewing this particular section.

**Mr. Chairman:** Mrs. Watson.

**Mrs. Watson:** Mr. Chairman, it does not say, though — the debt is owing to the Commissioner by the registered owner, but it does not say that the Commissioner assumes the responsibility of paying for the vehicle, costs of a vehicle and paying for the cost of the storage.

Now, if you are going to assume that the person owes that debt to the Commissioner, then certainly the Commissioner should assume the responsibility to pay for the towing charges and to pay for storage, and he doesn't.

**Mr. O'Donoghue:** Mr. Chairman, I understand the Registrar assumes the responsibility for paying for storage, when the RCMP, in the course of the operation of this Section of the existing Ordinance, actually do put it in storage.

**Mrs. Watson:** What about towing?

**Mr. O'Donoghue:** I didn't ask him that question, Mr. Chairman.

**Mrs. Watson:** Ask him.

**Mr. Spray:** Mr. Chairman, sometimes reluctantly, yes, we are responsible for the towing charges, we are responsible for the storage charges, as long as we are notified within a reasonable time of the fact that the vehicle has been put into storage. If we are notified immediately, and we find it more economical to have that vehicle moved from private storage to a government compound, we will do so.

**Mr. Chairman:** Mrs. Watson.

**Mrs. Watson:** Well, Mr. Chairman, should we not write in here then, that it is the responsibility of the peace officer who is going to have the vehicle towed off the road and put into storage to notify the Registrar that he has so done?

**Mr. Spray:** There is no objection to adding that section in, Mr. Chairman. At this current time it is a matter of policy. It is communication between ourselves and the RCMP.

There is no offense to the RCMP if they do not notify us, so it is really just a direction to them in the Ordinance.

**Mr. Chairman:** Mrs. Watson.

**Mrs. Watson:** Mr. Chairman, I certainly think it would overcome what has happened, in some instances, where these vehicles are stored in garages. The Commissioner is not notified, the garage cannot collect the storage, and, if the

necessary procedures is defined in legislation so the peace officer notifies the Registrar, the Registrar assumes responsibility for storage or makes sure that the storage rate is, I think that is one way of insuring that some dealer cannot charge them exorbitant prices for storage. And then the Commissioner recovers the costs, or the money from the vehicle, if the vehicle is worth it and, again, we expect the poor old Registrar to be compassionate again, don't we. But, I think this is one way of insuring that you don't have such high rates of storage after the fact.

**Mr. Spray:** Mr. Chairman, we will look at that and add that provision in. I do want to make it clear that the RCMP are very good about notifying us immediately they put a vehicle into storage. On the odd occasion that we do not receive notification is what I would call an administrative error, some new person into the Territory who doesn't know the procedures.

But we will add in in order that the Registrar is then made aware of each and every vehicle put into storage and will immediately take action to review the storage costs and whether or not the vehicle should be removed.

**Mr. Chairman:** Mrs. Whyard?

**Hon. Mrs. Whyard:** I don't wish to belabour this point, I just need one more small piece of reassurance from the witness, if I may. That is, in the case where the owner of this vehicle, from outside of the Yukon was killed in the accident, what time frame are we looking at here for settlement of his estate under which the disposal of his vehicle would come. Is there any period of grace while someone arrives on his behalf or correspondence goes back and forth or what, how often does this happen?

**Mr. Spray:** Mr. Chairman, immediately that person owns that vehicle is killed in the accident, his assets must be claimed by the RCMP on behalf of the public administrator who then takes possession of the assets, therefore, it would not be considered an abandoned vehicle.

**Mr. Chairman:** Mr. Berger?

**Mr. Berger:** Yes, Mr. Chairman, just a question of interest. On the Registrar disposing of the vehicle by public auction, if that vehicle happens to be from out of Canada, from the United States, under the rules and regulations of Canada Customs office, can they sell a vehicle under a certain time-frame?

**Mr. O'Donoghue:** Mr. Chairman, arrangements have been made with the Customs in Canada in order to ensure that the correcting is done. There is an arrangement about how this can be done. It may be that you pay duty, it may be the vehicle may have to be destroyed, but it's a constant recurring event, getting in touch with the Canada Customs to deal with the car which have been in wrecks or have been abandoned in the Territory.

**Mr. Chairman:** Mr. Fleming?

**Mr. Fleming:** Yes, Mr. Chairman, I'm very glad to see in a way something to control vehicles that are left on the highway and so forth and so on because the garage owners have had a problem. I've been in it myself and I know, but I don't agree with it being in this Ordinance and under this fashion. I don't agree with having a vehicle picked up on a highway and stored for four or five months, and then the Commissioner being responsible to pay that bill to that garage owner, which is what it implies here.

If that car is only worth thirty-five cents, and the storage is five hundred dollars, with this Ordinance, it will be paid to that garage owner and that storage keeper. Now I'm not disagreeing that the man shouldn't be protected out there, because we have a problem there, we are not protected in this case on the highway picking up vehicles. But it shouldn't be in here and it certainly shouldn't be like that. It is definitely here. It says

right here that the Commissioner is responsible to pay the bill. Of course, it more or less implies in here that he might sell the vehicle and get some money, or implies that he could get the money really here, but he might not get the money in my opinion at all, even any small percentage of it. I can't agree with that at all.

**Mr. Spray:** Mr. Chairman, we are specifically dealing here with vehicles that are put into storage by a peace officer or officer, which is an employee of the government, and these are vehicles which have been left on the highway, under 95.(1), (a) to (f). These are very specific vehicles. These are not vehicles which an individual owner has placed into storage himself. These are vehicles which the RCMP have placed into storage on behalf of the Government and, if we then add into 96.(1), that the RCMP will notify the Registrar, then the onus is on the Government to make provisions for removal of that vehicle as soon as possible, in order to avoid high storage costs, but we did not consider that it would be fair to the private garage owner to be left with no way of having his bill collected, when it was the Government who asked him to store the vehicle in the first place.

**Mr. Chairman:** With Committee's concurrence, I would like to complete Part 8 before we go on to the Electoral Boundaries.

Mrs. Watson.

**Mrs. Watson:** Mr. Chairman, could I just ask one more question on this section, before we leave it?

**Mr. Chairman:** Yes.

**Mrs. Watson:** Mr. Chairman, I have a little trouble with your definition of "vehicle". In this section, we are just referring to vehicle all the way through, and then we are using "also including a wrecked or partially dismantled vehicle". In Part 6, we use the interpretation of vehicle means "a vehicle other than one powered by muscular power". Then we have a definition for vehicle in the Interpretations Section, so, in Part 8, what definition of vehicle are we using?

**Mr. O'Donoghue:** We are using in Section 96, we are using the definition from the front of the Ordinance, plus the sentence "wrecked or partially dismantled or part of a vehicle". A definition plus.

**Mrs. Watson:** Mr. Chairman, are you using it all of the way through that part, Part 8, because, if you will notice, you switch back to motor vehicles and vehicles in Duties of Dealers, Part 7. You are using motor vehicles. Part 5 you used a different definition of vehicles. You gave the definition of vehicles. Now, in Part 8, you are using the definition of vehicle in the Interpretations Section, is that right?

**Mr. O'Donoghue:** Yes, Mr. Chairman, plus an extra definition in 96.

**Mrs. Watson:** Right.

On Clause 97

On Clause 98

On Clause 99

On Clause 100

**Mr. Chairman:** Mrs. Whyard.

**Hon. Mrs. Whyard:** Mr. Chairman, I did inquire whether that was reversal of the times there, because my opinion is that normal business hours are from nine in the morning until six in the evening, but I have been corrected, and the Registrar informs me that six in the morning until nine in the evening are normal business hours in a garage.

**Mr. Chairman:** Mr. McIntyre.

**Mr. McIntyre:** Mr. Chairman, is Section 97.(1), also basically a provision of the *Criminal Code*? It has no place in this Ordinance.

**Mr. O'Donoghue:** I don't know that it is in the *Criminal Code*, Mr. Chairman. It may not be in the *Criminal Code* in relation to Sections of the *Motor Vehicles Ordinance*, but I will check it out, Mr. Chairman. The Honourable Member is seldom wrong.

**Mr. Chairman:** I will declare a recess.

Recess

**Mr. Chairman:** I call Committee to order.

We will deal with the Report of the Electoral District Boundaries Commission. It is referred to in Item 5. THAT this Assembly concurs with the proposals outlined in the Report of the Electoral District Boundaries Commission established under the provisions of Section 4.(2) of the *Electoral District Boundaries Commission Ordinance* on May 12, 1977 by Commissioner's Orders 1977/80 and 1977/81 respectively.

Mr. Taylor?

**Hon. Mr. Taylor:** Yes, Mr. Chairman, in this respect, I would at this time like to rise and point out to the Committee a very serious deficiency in the recommendations as contained in the Report of the Electoral Boundaries Commission. The deficiency I refer to, Mr. Chairman, is the proposed boundary between the district of Campbell and the district of Watson Lake. I would, with your concurrence, Mr. Chairman, like to pass around to all members a copy of that map showing the proposed adjustment that I will shortly be asking for as an amendment.

Mr. Chairman, as these are distributed, you will notice that the community of Watson Lake has historically included the settlements of Upper Liard and Upper Liard Airport and all the settlements that lie between these points. The new boundary, as proposed in the Report of the Boundary Commission, would have an extremely adverse effect on the community inasmuch as it would separate the community into two parts. One which would then have local representation, the other part of the community perhaps having representation from some distant point and perhaps inconsistent with what is going on in the other half of the community.

It is somewhat akin to Dawson as it was split in the last election down Queen Street, and it was just fortunate that both members from Dawson at that time came from the same community and were able to reflect perhaps in many ways a common interest, which was in fact common to the City of Dawson.

I see that that has been corrected in this Report.

Now, you know, this eventuality of this Report being accepted as such, in this case, is inconsistent, I feel, with the Ordinance establishing the Electoral Boundary Commission and I refer you to Section 15.(b), which would read, "In recommending the boundaries of any electoral district, the Commission shall take into consideration", and (b) "any special community or diversity of interests of the inhabitants of various regions of the Territory". I suggest, Mr. Chairman, that to divide this community would be inconsistent with the intent of Section 15, of the *Electoral Boundaries Commissions Ordinance*.

Perhaps Honourable Members are not aware, Mr. Chairman, that many residents, native and non-native, live at Liard and work in and around Watson Lake, the Watson Lake area. Emergency services, such as fire protection, police and ambulance, are provided from Watson Lake. Education facilities, including schools, school bus, health and welfare services, are all provided from Watson Lake. Power and telephone, postal facilities, are also provided from Watson Lake, that is the Post Office, Upper Liard is Watson Lake. Food, fuel, and other commodities, such as transportation facilities, are provided to the airport at Liard from Watson Lake and, really, almost all sports, recreational facilities, dances, this

type of thing, include, and I should say associations, include citizens of Watson Lake and Upper Liard as part and parcel of Watson Lake.

We have, in fact, Mr. Chairman, a very positive and substantial community of interests, supported historically and maintained in harmony. As you can see, it would obviously not be in the interests of the community to divide them in the manner suggested in the Electoral District Report.

This feeling was expressed to the Board, both in part by letter, and in part, perhaps mainly, in part in a public meeting which was held in Watson Lake and which heard recommendations from these people. I have attempted to get copies of this correspondence, but, apparently, the Board have not released them as yet. But no one, at those meetings at Watson Lake, supported the proposition that is contained in this Report.

Obviously then, Mr. Chairman, it would not be in the interests of our citizens to impose such an unpopular and unreasonable measure upon the residents of Watson Lake, Watson Lake Airport, and Upper Liard.

I have, Mr. Chairman, a map here, which was compiled by the Government of Yukon, in the early 70's, which indicates the Government's desire to establish, at that time, a municipality in Watson Lake and it may be seen, on viewing the map, and I am sure many Members of Committee have viewed it, if not, then I have it here for their perusal, that the area encompass goes right out from Watson Lake, takes in the Airport, and, of course, Liard, and goes right out to the Cassiar cut-off, where the Cassiar Road comes out of British Columbia and meets the Alaska Highway just north of Watson Lake.

It, in fact, recognizes, as I say to you today, Mr. Chairman, that these are all one community, notwithstanding they are all, oh, by road, seven or eight miles apart.

The solution, I would propose, would establish a new boundary between Campbell and the Watson Lake areas, or districts, which would follow along the 130th Meridian and you will find that on the sketched plan that I have provided to Committee, Mr. Chairman

It would solve the problem of dividing Watson Lake into two parts and in addition, would have the effect of providing on-site representation to all those areas north of the community of Watson Lake, such as Frances Lake, if you will notice further on up the Campbell Highway, and perhaps the Howards Pass area which could develop in the next couple of years into a small community slowly enlarging as the years go by and which also, of course, is dependent fully on Watson Lake for its services, supplies and this type of thing.

I think there is another point that I should make here. It has been suggested that perhaps the Liard was included in the district of Campbell by the Board with the thought that Liard was purely a native village and that the interests of the native people in one constituency may well be served by including Ross River, Teslin, Johnson's Crossing and Liard in the same area. This does present some very important difficulties, Mr. Chairman, inasmuch as if that be the case, these native people, are not of the same tribes. As a matter of fact the Tlingit of Teslin and their ancestors did great battles and killed each other on every occasion between the Tahltan and the Tlingit nation and this is part of the history of Canada going back hundreds and hundreds of years. I'm sure the records of the Hudson's Bay Company would quite clearly point this out.

I can see very little relationship between the problems of Teslin or, in fact, Ross River, with the problems of the native people who reside at Liard. I remind you that Liard is not entirely a native community. It is a community of natives and a community of non-natives. The nature of the Band itself is that the Liard Indian Band is located in three villages, one of which is Liard, one of which is two miles north of Watson Lake

on the airport road, and the other which is two and a half miles north of Watson Lake on the airport road. So if you were to isolate Upper Liard, you wouldn't isolate the Band. Half the Indian Band would be north of Watson Lake two miles and the other half would be at Liard represented by somebody else.

If it was intended to give more adequate representation, or consolidating representation to native peoples, it cannot be achieved by the recommendations contained in the Report as it is presented to us.

So, at this time, Mr. Chairman, I would like to move an amendment, for the consideration of Committee, to the motion now before Committee, which would, if accepted, perhaps resolve the serious, and a very difficult problem, and I would ask, Mr. Chairman, that Members give every consideration to the proposals contained in the amendment.

It would be moved by myself, seconded by the Honourable Member from Pelly River, that the motion concurring with the Report of the Electoral District Boundaries Commission, be amended by adding thereto, the following words: "except in the description of the Boundary between Campbell and Watson Lake Electoral Districts, which should be established from the intersection of Longitude 130 West, and thence north to the North Boundary of the Yukon Territory".

Thank you, Mr. Chairman.

**Mr. Chairman:** It has been moved by Mr. Taylor, seconded by Mr. McCall, that the motion concurring with the Report of the Electoral District Boundaries Commission, be amended by adding thereto the following words: "except in the description of the boundary between Campbell and Watson Lake Electoral Districts, which should be established from the intersection of Longitude 130 Degrees West and thence north to the North boundary of the Yukon Territory".

Is there any further debate?

Mr. Fleming.

**Mr. Fleming:** Yes, Mr. Chairman, I cannot agree entirely with everything that the Honourable Member from Watson has spoken on. I feel sure that the Boundaries Commission also have had a reason for this, and I would suppose that that reason was, as he said, that they felt that many of the natives had something in common with the Ross River and the Teslin native village. His remarks saying that this wasn't entirely possible because they had wars and so forth, that's fine and dandy, but at one time I think that many of those people that were there many years ago, did come from Teslin and also Ross River.

However, I realize that somewhere along the line, the Boundaries Commission didn't probably get all of the information that they needed, or there wasn't enough objection at the time, possibly, for them to see that the people in that area would sooner be in Watson Lake. I have checked myself, because it is affecting a riding which I am now in, but, possibly, won't be in the future, maybe, but still, will affect that riding.

From all reports that I can get, that I have been able to get, and I have made a telephone call or two — mind you, you can't telephone too many places in Upper Liard — but, from what I have gathered, I would say, almost 100 per cent of the residents are against the Boundaries Commission, as it stands here today.

I think that they had an opportunity to speak, of course, at a public meeting also, but I think that that fouled up a little bit. Things didn't go just the way that they wanted, possibly due to circumstances, which not all the people could be included in.

I have no objection at all to the proposal here today and the amendment, because I do feel now, after checking, that these people actually wished to be in the Watson Lake area. I think regardless of anything else, regardless of somebody's whether he would like them to be with somebody else or

whether they should be there because they are of that ancestry should have absolutely nothing to do with it.

The people do live there and they have actually, I think, put forth many complaints about it and said they wished to be left there. That's all I can gather from anybody I've gotten hold of down in that area. So I will be voting for the amendment as it stands now, Mr. Chairman.

**Mr. Chairman:** In the interest of clarity, perhaps a small alteration in the amendment, which should then read, a change in the penultimate line adding, after west, "and latitude 60 degrees north", so that it would now read: "except in the description of the boundary between the Campbell and Watson Lake electoral districts which should be established from the intersection of longitude 130 degrees west, and latitude 60 degrees north, and thence north to the north boundary of the Yukon Territory."

**Hon. Mr. Taylor:** Yes, Mr. Chairman, perhaps my hasty drafting, I neglected to put the words, "to the south boundary", but the alteration that you have given establishes the same thing. Thank you, Mr. Chairman.

**Mr. Chairman:** Mr. McIntyre?

**Mr. McIntyre:** Yes, Mr. Chairman, I find myself unable to support the amendment and my reasons are that this Legislature engaged the Electoral Boundaries Commission to prepare a just distribution and create new boundaries for the forthcoming election. I don't think it's right for this body to make a political decision and alter something that has been researched very carefully by an impartial group.

**Mr. Chairman:** Mr. Lengerke?

**Mr. Lengerke:** Thank you, Mr. Chairman. In putting forth the original motion to accept the recommendations, of course, I stand on that. I do accept the original recommendations. I do sympathize with the Member from Watson Lake however, and I think what he has raised has certainly some good argument and some good reasons why we could consider an alteration, but I think one question has to be asked, Mr. Chairman. I think it relates to the numbers gained. When a Commission such as we have had, on Electoral Boundaries Commission are faced with trying to divide a Territory such as Yukon into 16 electoral boundaries, certainly they have to take into consideration the number of people within each one of those districts, and I would really ask the question, if maybe the Member from Watson Lake could answer, what does this do then to the population of the Campbell situation, or the numbers game, if I could say. Does this significantly reduce that, which I don't think it does, but I would like to know if somebody has researched it?

**Mr. Chairman:** Mr. Taylor?

**Hon. Mr. Taylor:** Yes, Mr. Chairman, in answer to the question raised by the Honourable Member from Whitehorse Riverdale, I don't believe, now I don't have those figures with me, but I don't believe that the numbers would make that big a difference involving Teslin and Ross River certainly. Inasmuch as the Liard Indian Village is one that has diminished as a native village, the non-native has moved in and now it is kind of a joint situation, and many of the people who originally lived at Liard when it was one combined village have moved to the villages I referred to in my remarks, Mr. Chairman, at Two Mile and Two and a Half Mile where big housing projects are constantly under way in that area.

I really don't think, and I don't say with any assurity, but I don't think the numbers would be that great so as to affect the, or upset the balance in terms of Campbell and Watson Lake.

I think what is important is the actual situation of dividing the community, that is extremely serious and is felt to be by the residents of the area.

I just had one point to raise, with respects of the remarks by

the Honourable Member from Mayo. It may be well to say that, you know, the Board has looked impartially upon this in giving its recommendation, and I believe the same thing that he does, but, it is also clearly understood in the *Electoral District Boundaries Commission Ordinance*, in Section 22. (2), that if this House, by resolution, approves or approves with alterations, the proposals of the Commission, the Commissioner then prepares the Bill.

In other words, the Ordinance says clearly, it makes provision for alterations and depends upon this House to satisfy itself that the Report, you know, clearly provides for everybody, and, in this case, I do not feel it does. I just point that out. I once again ask you, please do not split our community.

**Mr. Chairman:** Mrs. Watson.

**Mrs. Watson:** Mr. Chairman, I think the Electoral District Boundaries Commission had a very difficult job. They had to divide a very sparsely populated area into sixteen electoral districts. When we passed the *Electoral District Boundaries Ordinance*, at that time, I believe we made the decision to put the problem of redistributing electoral districts in the Yukon in the hands of an impartial board.

We could have used a different method, we could have used the political method and come forward in this House and suggested the boundaries of the electoral districts within this House. I believe that is how it used to be done, before the Ordinance was brought into effect, I believe in 1972 or '73. So, we had asked a Commission to prepare a Report for us and we have also given them the terms of reference in the Legislation, which we approved. We have asked them to prepare a preliminary report, to publish it, to make it public, and then to hold hearings in the Legislation. We have done this in a Legislation to ensure that the Commission works and prepares their boundaries as the people in the various areas of the Yukon desire to have those boundaries drawn. That is why we insisted on having public hearings.

I would be most reluctant, as a Member sitting in this House, even though we do have the authority under the Legislation, and the Honourable Member from Watson Lake is quite correct, to alter a report that we have asked an impartial board to prepare for us. I think we would be going in the wrong direction. There are certainly areas in this report, myself, certain things that I would like to see changed, but, at the the public hearings, there were no requests made for the changes, or the Board, for some reason, thought the changes should not have been made. So, I feel, that if we, as an Assembly, tamper too much with an Electoral Boundaries Commission Report, the next time we want an Electoral Boundaries Commission, we are going to have a hard time finding people who will serve on it.

So, Mr. Chairman, I sympathize very much with the Member from Watson Lake, and the people who were involved in this, the people who reside in Watson Lake and in Upper Liard, but possibly the representation should have been stronger to the Board, and we would be setting quite a precedent in the House if we started tampering with the boundaries that they have recommended.

**Mr. Chairman:** Mr. Lengerke?

**Mr. Lengerke:** That's fine, Mr. Chairman.

**Mr. Chairman:** Mr. McCall?

**Mr. McCall:** Thank you, Mr. Chairman. I was the seconder of the proposed amendment. I have a lot of reservations with this proposed report. As far as I am concerned, this report is only suggesting that a proposed boundaries be established by all the consent of this report. My concerns are that this report has been changed from the original preliminary report, upon the request of some of my constituents, where we are having the same problem as the Honourable Member from Watson Lake is having. The first preliminary report was

shrunk down to the point that the riding which I represent would be smaller than the municipality which I live in, which to me does not make any logic at all. At the public hearing, along the same lines as Mr. Taylor, it was suggested that it would be reconsidered, which it was, but here again we still have problems like Mr. Taylor is having, where communities are just on the outer perimeter of the boundary. Now they are going to have to travel eighty miles in the opposite direction to find a representative.

I am going to concur and vote for this amendment. I accept the report only as advice or as suggestions. I am not going to follow it totally, because legislation provides an opportunity for us to consider the report and make changes, if any, and I think now is the time to make changes, before we set it into place, which could be for a very long period of time, I don't know. But at least for the next five years or so, we don't know. We should consider that carefully when you are looking at the boundaries that are being proposed, even here in Whitehorse.

**Mr. Chairman:** Mr. Taylor?

**Hon. Mr. Taylor:** Yes, Mr. Chairman, I would just like to comment again on the question of the Board. I appreciate the remarks, both as made by the Honourable Member from Mayo, as well as the Honourable Member from Kluane, and their thought that the Board have done this impartially, and they have established these boundaries, but is it not possible that perhaps the Board never really understood that separation at Liard. Now, I agree with the way the districts have been arrived at generally. You know, we found the sixteen districts. The problem here is with these communities again. That's the problem, and separating a community is important, as Watson Lake, is a very serious thing. Especially when at a public meeting held in Watson Lake, there was overwhelming rejection of the proposal for the obvious reasons that I have suggested. Unfortunately, I have not got the minutes of the — or the correspondence yet, — of the Boundary Commission, so I really don't know if they say in that just exactly what their reasons were for splitting the community, but I can only assume, as I said before, that perhaps it was to encourage more joint native participation in the district of Campbell.

The point of it is, that the people who we represent — I certainly represent these people — you know, they want to be a part of the community they live in, and they are asking me to ask you to support me when I say leave the community as a community, don't separate it.

This is going to look really good, if you expand the L.I.D. boundaries, and you have two representatives of the one L.I.D. in this House, and I do not think that that is reasonable and I do not think that any member of the Committee really thinks that that is a reasonable situation to permit

So, this is why I throw the amendment and this is why it is so important. It is just unthinkable, boboth to myself and those I represent, that this Committee would, for any reason, allow the separation of the community, Mr. Chairman, and I would ask that, I would really ask for your support in this amendment.

**Mr. Chairman:** Mr. Lang.

**Hon. Mr. Lang:** Mr. Chairman, first of all, I think that the Electoral Boundary Commission should be commended for the work that they have done in the short space of time that was allocated to them, in respect to coming up with a report for the Legislature's consideration.

At the same time, I think all Members are fully aware that this recommendation to this Legislation, it is not something that is finished. It is going to be a political decision in the long-run, in respect to deciding where the 16 seats are going to be.

Now, I think, first of all, Mr. Chairman, one has to look at Section 15.(1), of the Electoral District Boundaries Commis-

sion in respect to the three areas that the Commission was asked to consider in respect to delineating various prospective ridings for the next election. Now, it is my understanding that the Upper Liard area is an area that is comprised largely of Indian people who are, to some degree, or a great degree, related to the Indian people in Ross River. In fact, there is probably more in common with Upper Liard and Ross River, than there is with Teslin, in respect to the relationship between these people. Now, Mr. Chairman, I think that we should get to the facts of the matter, in respect to expanding the numbers in the Legislature. I recall when we went with the Electoral District Commission, we said that what we were looking at, we wanted to ensure the opportunity for Indian people to take a part in the political process. In other words, be elected by the democratic process and take part here and either serve in the, just simply in the Legislative Assembly, or, possibly in the Executive arm of the Government, to become involved directly with the political process.

Now, it is my understanding, when the Electoral Boundary Commission was down in the Upper Liard-Watson Lake area, they had no representation one way or the other, from the Indian population in Upper Liard. At the same time, it is my understanding that they had to look at trying to balance, to some extent, the population, in respect to that particular riding, and, subsequently, they came up with the decision that is before us today, in respect to that particular riding.

Also, at the same time, it is my understanding, that the native organizations have supported that particular riding, as delineated in the Report. Now, I think the facts of the matter are, Mr. Chairman, is, are we serious in respect to trying to get Indian people into the Legislature, or aren't we?

I think that is the basic premise that we are looking at. I have no reservations in saying that in all likelihood, if the Honourable Member from Hootalinqua who's riding has been changed to Campbell, I would suggest that in the work that he has done and in my view of all the members here that he does a lot of work, and I would suggest that he would stand a very reasonable chance of probably getting elected next time. But the point is that the opportunity is there for native people to run in that riding and the opportunity is there. If they want to get behind a native candidate. So, Mr. Chairman, I sympathize with the member from Watson Lake, but at the same time, probably in the not too distant future if our population continues to rise and this kind of thing that probably there will be another expansion in the Legislature and then it can be looked at at that time.

I personally have to support the recommendations by the Electoral District Commission, because I think we have to make an honest attempt to try to get Indian people in the Legislature and the opportunity should be presented to them. If they take it, fine; if they don't, that's their business too.

**Mr. Chairman:** Mr. Taylor?

**Hon. Mr. Taylor:** Just for one point of clarification, the Honourable Member who has just spoken stated that there was no representation from the native people at Upper Liard and this is entirely incorrect. There was a petition presented to the Board by native and non-native people alike. The native people did speak. They did not want this. I mean if it's more important, just take that into account, Mr. Chairman.

**Mr. Chairman:** Mr. Fleming?

**Mr. Fleming:** Yes, Mr. Chairman, I have to disagree a little bit with the Minister of Education. I find ourselves again in the same position we have been in so many times that we are taking the native people and using them again as something to kick around as a football. I think it's time we just woke up and forgot that they were native people in any of those ridings. I possibly think that maybe along the way somewhere that this is what happened already, that is why the boundaries had been proposed as they are here, and that I am a little worried about.

I think that the Boundaries Commission, in all respect, and I think they did a wonderful job, I'm not, certainly not belittling anything they did, because I think they had their reasons and as I say, they have done a good job, and I am not in any way belittling them, but it is in our power to change something that possibly was wrong and again, I must say, we want to give the native people the chance to get into government and everything, and this is not the way you do it. You don't do it by this type of thing by putting Ross River, Teslin, Lower Liard or anywhere else together, and I am going to be very blunt and say, I have a feeling that this may have happened.

I'm not saying that the Boundaries Commission did anything like that, they possibly had a thought though this might—you can't do that. You have to treat them as people, not as anything else. Possibly because of this, the improper representation by themselves again happened at the hearings that were held probably, because they just didn't have the proper people or something in that little town to get up and give the proper representation, or maybe the Boundaries Commission would have changed their minds too.

I just can't see us sitting around using them and saying that they should get into this riding or that riding. I think it's the people there, and if you take a look at the picture, chopping off that little area and going over there and leaving it on the highway in the proposed thing, just doesn't fit anyway. It was done for some reason like that and I can't go along with it. I think we should treat those people, if they wish to be out of that riding and really, sincerely, I think they do, because I have had no other report at all from there. I think we should give them that chance, and the people that are against this, I don't think they are considering the people there. They are just considering possibly the idea of going against the Commission or something, but there is no problem there.

They have done their work and we have looked it over and decided this one, maybe, should, could be better.

As far as the population in this Territory, there is no way that any Boundaries Commission or anything else could go by the population in this Territory, so that argument is completely out, forget about it. It's an impossibility with the way the country is set up.

**Mr. Chairman:** Further debate?

**Mr. McKinnon.**

**Hon. Mr. McKinnon:** Mr. Chairman, I think I was the only member who voiced opposition to the formation of an Electoral Boundaries Commission, and was completely in favour of us doing our political job in this Legislature and making the Electoral Boundaries on a political judgment, in the method that we so desired.

I think I did raise the point, at that time, that if we did go to the Electoral Boundaries Commission route, and did appoint an independent Electoral Boundaries Commission to look at the question of both and the number and the make-up of the Electoral Boundaries of the Yukon, then we should, Mr. Chairman, forego the political route which we had available and which the Honourable Member from Kluane alluded to, and accept the advice and recommendations of the Electoral Boundaries Commission, after spending the time, the effort, and the taxpayers' money on that route. That is what I am prepared to stick to. I still agree that we should have made the political decision here, no matter how many people do not like the work gerrymandering, that is tough luck, no matter how many do not agree with the number 16, which I still do not agree to, up to this point in time. I thought we should have 14, that is what I stated and that we should do the 14 here.

I also assure the Honourable Member, that, knowing the situation as I do, in his constituency, that if the political decision had have been made here, I do not think Upper Liard would have been found outside of the Watson Lake area and I

also do not think, Mr. Chairman, we would have seen a little jog in the constituency of Whitehorse North Centre, which takes away from the straight-line basis of which it used to be, and puts eight blocks of my constituency into the constituency of the Honourable Member from Whitehorse South Centre. I have talked to them and they say that they made no petition to the Electoral Boundaries Commission, that they are not that happy about being served, in the future, Mr. Chairman, by the Honourable Member from Whitehorse South Centre, and that they saw no reason why that is.

So, I think that if we are going to get into the Electoral Boundaries Commission Report, then we can all bring up issues where we do not agree and probably would like to see the Electoral Boundaries Commission changed. I daresay, Mr. Chairman, if the decision had have been made politically in here, I do not think that those eight blocks of Whitehorse North Centre, would have been lost from the constituency of Whitehorse North Centre, either.

So, we made our bed, Mr. Chairman, and we may as well learn to lie in it. We had two methods of going and I agree with the Honourable Member from Kluane, we could have made the political decision here, which I thought we should have done, to provide all of the things which we were trying to do, at a political level, or go by the Electoral Boundaries Commission Report. It was a decision of the House, which I didn't agree of, but I am willing to accept, because that is the way the system works.

As of that, even though I perhaps may not agree with some of the areas in the Report, and I think that we can all take exception to certain areas of the Report, that once we start changing it, then I think that all Honourable Members would like to offer suggestions.

So, I just say, Mr. Chairman, if we did go the route of the Electoral Boundaries Commission Report, then we had better be prepared to accept the recommendations of the Report, as it is, or we may as well really start into the Report and everybody who has changes that they think, politically, would probably be better, may wish to bring them up at this time, and I do not think that that is what we should be attempting to do, nor what we want to do.

With those remarks, Mr. Chairman, just in explanation, those are the reasons which are consistent with my stand at the Spring Session, in the formation of the Electoral Boundaries Report, that I will not be supporting the amendment that is before Committee at this time.

**Mr. Chairman:** Mr. Berger?

**Mr. Berger:** Thank you, Mr. Chairman. I have to disagree with the previous speaker with regard to the remarks he made. I will vote for the amendment, because as most members know, or all members know, I came from an area that was split in half, and I think it was ludicrous and ridiculous. If the members at that time, when the Electoral Boundaries Commission made their report to them, had guts enough, and gumption enough to stand up, we wouldn't have been in that position in Dawson City.

I think what the Honourable Member from Watson Lake requested us to do now, is the duty of this House to look at seriously, and not hide behind a report made to us by the Electoral Boundaries Commission. Let's show that we have guts, and can accept changes as we need them to be made.

**Mr. Chairman:** Mrs. Watson?

**Mrs. Watson:** Mr. Chairman, just one point that hasn't been brought up in the discussions, and Mr. Taylor has said, and also the Honourable Member from one part of Dawson, Klondike, that it splits the community, but we forget that the community of Whitehorse is split into seven, and the only two areas that are a natural split are Porter Creek and Hillcrest. The rest of the area of Whitehorse is sort of one unit. Let's be

realistic. If our population stays fairly well the way it is, within the Yukon, with some growth in the small communities, some more growth in Dawson City and Watson Lake, which is bound to happen, and if we go for more ridings, if we ever go for the sixteen, there is no way, and the twenty, there is no way you are going to get twenty ridings in the Yukon Territory unless you divide some of your larger other communities into more than one riding. It is just impossible, and it is unhealthy to leave all of these sparsely settled units as individual ridings. I think that by the same token you can look at the riding of Hootalinqua, and I'm sure that some of the people on the Mayo Road, who say to me so often now, our community interest is with Porter Creek. Maybe they should have been with Porter Creek.

So, it's a never ending type of thing, and although I certainly can see in this instance why the member from Watson Lake was upset, you can get so many arguments against it, and that we are in the future going to have to look for more division of communities and more than one riding. Maybe the Honourable Member should be flattered that the Commission thought Watson Lake was large enough, and the problems complex enough to warrant representation from two members.

**Mr. Chairman:** Mr. Taylor?

**Hon. Mr. Taylor:** Mr. Chairman, I think we have also lost sight of something here. The Honourable Member from Whitehorse North Centre speaks of having his districts separated, he certainly has my sympathy, but just remember that the people in that—this is no joking matter, Mr. Chairman, that the people in the Whitehorse area have seven representatives, at least on site.

In these outlying districts,—once everyone is finished doing all their little laughs and jokes around here, I want to tell you that this is a very serious matter, because down in these hinterland communities, they have one representative, there is not another one down the street or anything. There is one only. What you are suggesting here, by accepting the Boundary Commission Report is segregating, out of a total community some 125 to 175 people, if that. You are denying them the right of on-site representation. You are providing them almost with a foreign landlord which is repugnant to them as the Federal Government and their existence in our government here in this Legislature. This is what I am saying.

This is important that this be understood. They have firmly said that they want to stay in Watson Lake, they don't want to be represented by somebody who lives three or four hundred miles from where they live who is not acquainted with their problems and they don't want to be treated any differently or represented any differently in this Legislature, than the balance of people they live with, and that is the total community.

Take for instance, let us make a hypothetical situation here, the party politics come to this House in the next election, and say a government is formed, then what? Where are these people left? You have one representation from Watson Lake, and a part of Watson Lake perhaps not represented by a member of the government. This segment of 150 to 200 people no doubt would be represented from either Ross River or Teslin, which are the populace centre of the Campbell riding as proposed. Is that really fair to these people? I say to you it is not fair to them.

These people living as part of a community, and they will be part of the municipality of Watson Lake, are entitled to the same treatment as the balance of the community, but I say to you this: if you want to split Watson Lake, split it, no problem, sounds great to me, let's split it, split it fair and split it equally into two parts. Don't take one little corner out of it and say well, we'll take this away because they are native, and we'll just leave the rest of you. That's what I am attempting to say, Mr. Chairman. It is our responsibility to those people. It is not our responsibility to the Electoral Boundary Commission to

accept this report. That's our second responsibility to consider. Our first responsibility is to the people and the people affected, in this particular instance the people of Upper Liard and Frances Lake. That's where our first responsibility lies, Mr. Chairman.

**Mr. Chairman:** Mrs. Whyard.

**Hon. Mrs. Whyard:** Mr. Chairman, the Honourable Member is quite right. Our responsibilities are to the people in those areas, and it is my understanding that, when considering the new boundaries, the Members of the Commission, two of whom are life-long residents and very familiar with all the things we have been saying here, including a former Member of this Assembly, took into consideration all these factors during their discussions and deliberations, before they brought in these recommended boundaries. They had heard the representations from the people in the Honourable Member's riding and the reasoning, as I am given to understand, Mr. Chairman, was that, in their attempts to comply with our requests to provide new areas in which it would be conducive to expect a native candidate to run in the next election and to encourage that to happen, they revised these boundaries into this new riding of Campbell, and they required sufficient numbers of voters to balance the population of that area, versus the population in Watson Lake. So, they have made the boundary that we see before us, in their recommendation.

I see no problem, Mr. Chairman, with having two members representing those two areas, rather than one. The people in those areas will now have two voices in this Assembly, not one, and I think that should provide eminently fair representation.

I have to concur with the Honourable Members, of Committee, Mr. Chairman, who say that we nominate people to do a job and they have come back with the job accomplished and made their recommendations. I had expected every member who had objections to voice those objections to the Commission and to live with the results and I cannot support this amendment.

**Mr. Chairman:** Mr. Fleming.

**Mr. Fleming:** I think the Member, the Executive Member has just come out and said what I thought might have happened. The Indian people may have been used for football again. There is not any necessity of saying, because they are Indian or otherwise, that they should be in the riding of Teslin and Ross River, because there is a lot more natives there.

If these native people thought that was going on, which maybe they did, and possibly there is a reason they are asking today to be left out of there. How do we all know these things. However, they should never have been thought of in this way. It is just people, and that is all it is.

I think, you know, if we just want to sit down. I see here the Government side, the Executive Committee, always the same thing, I won't see one of them voting for this amendment, I am sure, because one of them is not voting for it, there will be three that are not voting for it. You know, we have that same problem, good or bad, because I have heard the same story from all of them today.

I am still going to support this motion. I think we have just got to look at it as people and do the little people, the little areas that voice their opinion and want something, do they ever get it? Just think, do they actually get it. Little places like Upper Liard is asking to be left alone, where they were and not be used as a football or not be put in where they might get a representative because he is of Indian ancestry or anything else. They just want to be where they are. I am saying, do they ever get it? Not very often.

A member of the Executive Committee said something about maybe we should have voiced our opinions before. I don't think so. I am quite satisfied that the Electoral Bound-

aries Commission did a good job. I was certainly not going to voice any opinions beforehand to them, that might not go along with what those peoples' wishes were. But now that I know those peoples wishes, yes, now is the time I am going to be voicing those opinions.

**Mr. Chairman:** Are you ready for the question?

**Some Members:** Question.

**Mr. Chairman:** It has been moved by Mr. Taylor, seconded by Mr. McCall, that the motion concurring with the report of the Electoral District Boundaries Commission be amended by adding thereto the following words, "except in the description of the boundary between the Campbell and Watson Lake electoral districts, which should be established from the intersection of longitude 130 degrees west, and latitude 60 degrees north, and thence north to the north boundary of the Yukon Territory."

*Motion defeated*

**Mr. Chairman:** Mr. McCall?

**Mr. McCall:** I might as well take the same trip as the Honourable Member from Watson Lake. I have an amendment also. Before I go into the amendment, Mr. Chairman, I am pretty surprised at some of the attitudes of the members here. They seem to again wandering around blindly, accepting reports right, left, and centre. I think if you recall, prior to each one of us being elected in 1974, that particular Council of the day changed, and expanded, the electoral boundaries and the representation from seven to twelve. Here we are considering the same major question, which we have to be held responsible for, for perhaps a whole new group of people representing people in the Yukon, which is going to create a lot of confusion.

I can honestly say that, as you vote here, you are held responsible for your actions. It is nice to sit in Whitehorse and say, oh I'm all right, Jack. You don't live out in the communities, you don't know what you are talking about. To sit here and get up and dictate and say well this community is all right over in this riding, and this community is all right over in that riding. I'm sorry, the report gave out some very good recommendations, there is no dispute. I have a very unusual predicament. I represent substantially large native community, as well as the community in which I live, and it just creates many, many frustrating problems for that community. I am quite happy that it is in it's own riding now. It probably will be the mainstay of that particular riding in Campbell.

I have similar problems to what Mr. Taylor has, Mr. Chairman, and my amendment is probably along the same lines as Mr. Taylor's.

There's a description here for each Member, Mr. Taylor.

In my particular circumstance, I was not available to make the presentation I wished to make to the Commission, when it was in the Town of Faro, because I was working along with a couple of other Members of this House on a Committee here in Whitehorse. Although there was representation made, Mr. Chairman, and the Commission did reconsider the proposed boundary, but, they did not include the total presentation that was put forward at that time.

As you will see, on the proposed description I have given to you, we are dealing with latitude and longitude lines on the map, which, really, does not disrupt the intent of the two ridings, Tatchun and Campbell. What it does, it gives the popular equalization on the, you might say, land mass, when you take into consideration the railroad, new mining properties, the highways, and a little place called Little Salmon, which is turning out to be a pretty large recreation area for the Town of Faro.

I do not have to say too much about Little Salmon, because I think the Minister with many hats, the Minister of Local Gov-

ernment, is well aware of how important Little Salmon

Faro provides most of the services for Little Salmon. Most of the people from Little Salmon, who live there on a year round basis, do most of their business in Faro, if not Whitehorse. It is approximately 30 miles, a little over 30 miles from Faro, which, in turn, would be a little over 70 miles from Carmacks.

I am not going to belabour this, because I will probably clobbered like the previous person with the amendment I am going to put forward the amendment, Mr. Chairman.

The amendment is: Moved by myself, seconded by Mr. Taylor, that the motion concurring the Report of the Electoral District Boundaries Commission be amended by adding the following: "except in the description of the boundaries between Campbell and Tatchun electoral districts, which should be established on the boundary of Faro Electoral District, and should be established as Latitude 62 North and Longitude 130 Degrees West, thence due north to Latitude 63 Degrees North, thence due east to Longitude 135 Degrees West, thence due south to Latitude 62 Degrees North, thence due west to the commencement. I just hope you get all that. I hope you understand it, because I don't think you understand the Report, Mr. Chairman.

I don't think anybody here in this House understands what that report is all about. I just give you a few factual figures where probably a student from F.H. Collins can give you the same you still wouldn't understand. I don't think you really realize the seriousness of this Report. It could be lasting for four or five years, basically, there is nothing wrong with the Report. As the Minister said, he lost eight blocks of his constituency, that's his problem. I lost many, many thousands of miles of my constituency. It was shrunken to such a point that the municipality was bigger.

The Minister for Health pointed out that well, Watson Lake has got two representatives, but when you consider that Faro is the second largest community in the Yukon, then how come we don't have two representatives? We are entitled to it, if you want to go by the populace. But we have to take into consideration everything when you are looking at such a major decision as electoral boundaries. There are a lot of things going to be happening in the area of Faro, which has got to have proper representation.

The first preliminary report cut off the mine from the town, which to me didn't make sense. We have highways going through there, my proposal is to put it squarely on the map, if that's where to put it, Mr. Chairman, without interfering too much with the other two ridings which are Tatchun and Campbell.

**Mr. Chairman:** Mr. Lengerke?

**Mr. Lengerke:** Mr. Chairman, I object to the comments made by the Member from Pelly that we do not understand the report. I am sure that most members do understand and they understand the ramifications of it. That's probably why the Honourable Member is probably going to have some difficulty in support of his amendment. Because, we could play a great game of changing boundaries here if we wanted to today, I have some things in mind too, and I'm sure the member from Kluane and everybody else has. If we really wanted to get all kinds of reasons. I think we did commission some responsible people and some people well aware of the situation within Yukon and the terms of reference were spelled out. That's the reason why, Mr. Chairman, that the original motion was put forward to accept that report.

Certainly there was a vehicle available for anybody and everybody that wanted to object, and they could have done so. I know the Honourable Member from Hootalinqua did make one point that I have a little bit of sympathy for. It was an excellent point, as a matter of fact, where he did say that he

probably didn't want to interfere with that process until after some sort of decision was made.

I have a little sympathy for that. But I think if we embarked on a trip of sympathy, that we would be sitting here all day long changing boundaries. With that, Mr. Chairman, I will certainly be in support, not in support of the amendment, but the support of the original motion.

**Mr. Chairman:** Mr. McKinnon.

**Hon. Mr. McKinnon:** Mr. Chairman, all I would like to say is that I was really looking forward to the debate at 3 o'clock this afternoon that here at least we were going to get a debate on principle and not on the humdrum and the mundane of the *Motor Vehicles Ordinance* but we seem to be right down again into a process of a political debate and giving motives to different members for different reasons, rather than applying the principle of the debate in Committee here.

I was really amazed with the Honourable Member from Hootalinqua's remarks, that, once again, it is the people of Whitehorse against those little people of the Yukon. Well, exactly the reason that there are seven members from outside of the Whitehorse area, regardless of the population, is to make sure that we don't have that imbalance of a preponderance of Whitehorse and that is exactly the principle that is retained in this Report. How the Honourable Member can say that, well at the same time, when the vote on the amendment comes up, I see the Honourable Member from Haines Junction, isn't she capable of representing the outside of Whitehorse interests before this Assembly? I think she is. I saw the Honourable Member from Ogilvie's hand not supporting the amendment. Certainly, she is representing the views of people outside the Whitehorse area and certainly the Honourable Member from Mayo, who has spent so many years outside of west. Thank you, Mr. Chairman.

**Mr. Chairman:** Mr. Fleming?

**Mr. Fleming:** As I have said before, Mr. Chairman, I have had no part in trying to change the ideas of the Boundary Commission before the people decided to do that. I didn't hear from anybody from Carcross asking me to change anything, so I think they are probably happy, and possibly they might have been very glad to get rid of me, someday, hopefully.

**Mr. Chairman:** Mr. Fleming?

**Mr. Fleming:** Yes, Mr. Chairman, I just sort of resent the remarks all the time, or maybe I misunderstood, but I said the Executive Committee members are going to vote one way, and they did, and I meant that just as I said it. I said nothing about the people of Whitehorse, or the representatives from Whitehorse, as such. Of course now that the other motion has gone by the wayside, this one, as the Member from Pelly has said, will be clobbered, and I realize that, because they could not change their mind now, any one of them, as a group, if they wanted to.

Mr. Chairman, I have a right to say so, that's the way I feel. As I said before, and possibly again, some of the members here that voted against the last amendment didn't think of the people when they were doing it. The Honourable Member for Local Government says that, you know, we gave it to the Boundaries Commission to decide. Okay, I agree. Maybe we made a bad mistake, but we won't make that mistake again.

However, in the terms of reference for the Boundary Commission we could change. Why did we put that in there? Why didn't we say so, then we would not put it in there, we would abide by them, just like that?

**Mr. Chairman:** Mrs. Whyard?

**Hon. Mrs. Whyard:** Mr. Chairman, I do wish to have the opportunity to reply to the last comment, that if one member of the Executive Committee is going to vote for or against something, the others fall in line. Mr. Chairman, this is not so,

and I would also like to ask the Honourable Member from Hootalinqua, and I'm sorry if he's losing the name of that riding, because it's a beautiful name, Hootalinqua, and a very suitable name for that area of the country. I have never heard any suggestions from the Honourable Member that he should relinquish, for example, the Carcross Road cutoff residents, who properly belong to Whitehorse West. Thank you, Mr. Chairman.

**Mr. Chairman:** Mr. Fleming?

**Mr. Fleming:** As I have said before, Mr. Chairman, I had no part in trying to change the ideas of the Boundary Commission before the people decided to do that. I didn't hear from anybody from Carcross asking me to change anything, so I think they are probably happy, and possibly they might have been very glad to get rid of me, someday, hopefully.

**Mr. Chairman:** Mr. McCall.

**Mr. McCall:** Yes, Mr. Chairman, on another point dealing with the same matter, I am curious and I, in my investigation, I have not found any presentation that was made, how and why the name Faro was replacing the, as the Honourable Minister said, the map, the Pelly Riding. Why did we change from Pelly River, down to Faro? I don't see the logic in that. That is another question I find rather unusual. The only riding in the whole recommendation that was changed in name only. I mean, it doesn't make sense to me. You know, what are we playing here.

As far as the Honourable Minister of Health, throwing all her cat calls at the Honourable Member from Hootalinqua, I take exception to some of her remarks, also. When the Executive Committee flows, it only flows one way at a time.

**Mr. Chairman:** Are you ready for question?

**Some Members:** Question.

**Mr. Chairman:** The amendment reads: It has been moved by Mr. McCall, seconded by Mr. Taylor, that the motion concurring with the Report of the Electoral District Boundaries Commission be amended by adding the following: except in the description of the boundaries between Campbell and Tatchun Electoral Districts, which borders on the boundary of Faro Electoral District, in which should be established as Latitude 62 Degrees North, and Longitude 133 Degrees West, thence due north to Latitude 63 Degrees North, thence due east to Longitude 135 Degrees West, thence due south to Latitude 62 Degrees North, thence due West to the point of commencement.

Now, you know what you are voting on.

*Motion is defeated*

**Mr. Chairman:** Mr. McCall.

**Mr. McCall:** Yes, Mr. Chairman, as I said, the Executive Committee only flows one way. I would move that Mr. Speaker do now resume the Chair.

**Mr. Chairman:** There is a motion on the floor, Mr. McCall.

It has been moved by Mr. Lengerke, seconded by Mrs. Watson, that this Assembly concurs with the proposals outlined in the Report of the Electoral District Boundaries Commission, established under the provisions of Section 4.(2), of the *Electoral District Boundaries Commission Ordinance*, on May 12, 1977, by Commissioner's Orders 1977/80, and 1977/81 respectively.

**Mr. McCall:** Point of Order, Mr. Chairman, we haven't finished with the resolution yet.

**Mr. Chairman:** Ms Millard.

**Ms Millard:** Mr. Chairman, I have been waving my hand for several minutes, and, in fact, I thought you wrote my name down a long time ago. I would, if we could, I would like this debate adjourned until tomorrow, because I think it is a lengthy debate and I don't think we should finish it now. I have

several remarks to make and it may take some time.

**Some Members:** Agreed.

**Mr. Chairman:** Committee agreed?

**Some Members:** Agreed.

**Mr. Chairman:** Now, Mr. McCall.

**Mr. McCall:** The most sensible thing I have done today.

Mr. Chairman, I would move Mr. Speaker do now resume the Chair.

**Mr. Chairman:** It is certainly the most sensible thing you have said all day.

Mr. Fleming.

**Mr. Fleming:** I second that.

**Mr. Chairman:** It has been moved by Mr. McCall, seconded by Mr. Fleming, that Mr. Speaker do now resume the Chair.

*Motion agreed to*

*Mr. Speaker resumes Chair*

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

May we have the report from the Chairman of Committees.

**Mr. Hibberd:** Mr. Speaker, Committee of the Whole considered Bill Number 1, *Motor Vehicles Ordinance* and directed me to report progress on same. The Committee of the Whole have considered Motion Number 2 respecting the Electoral District Boundaries Commission and directed me to report progress on same and asked leave to sit again.

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

**Some Members:** Agreed.

**Mr. Speaker:** Leave is so granted. May I have your further pleasure?

The Honourable Member from Whitehorse Riverdale?

**Mr. Lengerke:** Mr. Speaker, I move that we now adjourn.

**Ms Millard:** I second that.

**Mr. Speaker:** It has been moved by the Honourable Member from Whitehorse Riverdale, seconded by the Honourable Member from Ogilvie that we do now adjourn.

*Motion agreed to*

**Mr. Speaker:** This House now stands adjourned until 10 a.m. tomorrow morning.

Adjourned

**The following Legislative Returns were Tabled:**

77-2-7

Destruction Bay-Development of lots  
(Oral Question - p.60 - November 9, 1977)

77-2-8

Teslin Subdivision  
(Oral Question - p.87 - November 10, 1977)

**The following Sessional Papers were Tabled**

77-2-10

Workmen's Compensation Fund Annual Report for the Year Ended December 31, 1976 (November 14, 1977)

77-2-11

Corrections Branch Annual Report 1976-1977  
(November 14, 1977)

77-2-12

Canada - U.S.A. Agreement on the Northern Pipeline  
(November 14, 1977)

LEGISLATIVE RETURN # 8

( Fall 1977 Session)

the Assembly

No. 10th 19 77, Mr. Fleming asked the following

question:

- Re: how soon on at Teslin
- how long is this project?
- how long will be available when it is completed?

LEGISLATIVE RETURN # 7

( Session)

Mr. Speaker,  
Members of the Assembly

On Wednesday, November 9 1977, Mrs. Watson asked the following

question:

Will any of the lots being developed at Destruction Bay be available to the public, or are they just for the Yukon Housing Corporation?

The answer to the above question is as follows:

is in the survey stage at present. A total of 29 lots will be developed and Phase I of the development will make available 14 acreage residential lots. We have been advised that both Yukon Electric and CNT are servicing the area until early next spring. Plans are to have construction commence in the spring and a target of lot sale for the summer is expected. This will also apply to five new commercial lots (serviced with sewer) in addition to the acreage residential land.

The answer to the above question is as follows:

There are no lots being developed in Destruction Bay at this time. The sewer and water system is being extended slightly to facilitate the construction of a Parks Canada Office/Information Building. The cost is being borne by Parks Canada.

Presently there are approximately six serviced vacant lots in Destruction Bay. Yukon Housing Corporation has had some discussion with the community with respect to replacement of the existing YHG staff housing. One of the possible locations would be on these serviced lots. Very recently the community has indicated there is some interest in private ownership and suggested an acreage residential development as a preference. The Department of Local Government agrees in principle to the suggestion; however, detailed site alternatives must be analyzed.

We will be pursuing this matter in 1978.

It should be noted that it is most conceivable there will not be sufficient land within the Commissioner's Block Land Transfer area to accommodate this use. If this is the case major delays could result.

Nov 10 19 77 *J. W. McKinson*  
Commissioner

Nov 10 19 77 *J. W. McKinson*  
Commissioner



