

Wednesday, 3:30 p.m.
May 4, 1966

Mr. Southam: I will call this committee back to order. We have Dr. Sprenger with us and we also have a sessional paper which we have to discuss. This is Sessional Paper 56 and I will read it.

Mr. Shaw: There is one point I note that I don't know about, this is hard to assess, "Residents of Canada who have maintained their residence in another Province or Territory while engaged in short-term employment in the Yukon Territory". Wouldn't that be difficult to outline, to insure the person qualified as to residential status?

SESSIONAL
PAPER 56

Dr. Sprenger: Mr. Chairman, this is already checked under Y.H.S. there should be no difficulty whatsoever. Every person is normally a residence of a province and the medicare program of that province would be expected to be covered in this way. It would provide coverage for the individual until his residence had been established in the Yukon.

Mr. Taylor: Where do we stand in respect to governmental employees and I think they were taken into account in the health plan. How do we stand for civil service, etc?

Dr. Sprenger: As already stated, the R.C.M.P., Department of National Defence personnel, workmen receiving treatment under the Workmen's Compensation Board, D.V.A. pensioners, inmates of federal penitentiaries, are not eligible for medical coverage as mentioned before, they are already covered by the federal government.

Mr. Taylor: Here we come to a position where the federal government does pay for the services to them.

Mr. Shaw: How many doctors do we have in Whitehorse at the present time.

Dr. Sprenger: There were six registered physicians in Whitehorse until last year or fall. I believe it was reduced to 3 because of illness and holiday leave and so on. At the moment there are 5.

Mr. Watt: As far as I am concerned we are simply be asked to accept in principle a medicare plan that is proposed to come into effect a year and a half from now and that is coming into effect in all the provinces throughout Canada. I think that if the Territory doesn't accept the plan then we are going to have difficulty to get men to work up here. If we expect to get men and families to live up here and have the same standard as all over Canada then we should accept the proposals as laid out in this medicare plan. Unless we do we will be losing out and 50% of the people right now must be covering themselves with private insurance companies and that is costing them money and more than it would for the per centage the federal government would have to raise in taxes. What we are accepting or rejecting here is a medicare program in conjunction with the federal government.

Mr. Taylor: Mr. Chairman, I must concur with Councillor Watt, I think he made a good point, that is that we must not agree with this thing specifically, but we must agree with the thing in principle. I think that in the final analysis if we consider the agreement and how this will effect financing, this is a good thing and I will heartily endorse it. I would like to move at this time that Council agrees in principle with the proposals outlined in Sessional Paper 56.

*Motion
re proposal
of SP 56.*

Mr. Watt: I will second that motion.

Mr. Boyd: Question on the motion.

SESSIONAL
PAPER #56

Mr. Shaw: Mr. Chairman, this is a wonderful thing to have in the Yukon Territory, providing that satisfactory arrangements can be made with the doctors, that seems to be a continuing program. Some of them may not care for a medicare program. However, in the amount of expenditure of approximately \$600,000 based on how many doctors we have in the Yukon at the present time, in other words, we have one at Watson Lake, one at Mayo, and 5 in Whitehorse, that would average out to \$73,000 a piece. So, it would appear to be quite substantial and we shouldn't have too much difficulty in that line.

Mr. Watt: Are you asking a question or talking to the newspaper?

Mr. Shaw: I don't talk to the newspaper.

Mr. Thompson: What is the difference?

Mr. Shaw: I don't know why people want to be making these wise-cracks. It doesn't serve any useful purpose and all it does is antagonize people. When I see a cost of \$600,000 and I see we have 8 doctors, I just assume you divide that into \$600,000. It is simple mathematics.

Dr. Sprenger: The mathematics are not so simple, this is not a question of just servicing the people of the Yukon. You are forgetting that there will be consultant services, specialists services, etc. in addition to the services of the practitioners here in the Yukon. I think it entirely unlikely that any doctor in the Yukon will make \$73,000 a year.

Mr. Shaw: I raised the question and it is explained and I am very happy to hear that---for the newspapers.

Mr. Southam: If I may ask Dr. Sprenger a question from the chair, this will include nurses?

Dr. Sprenger: No sir, this is personal health services in the doctors field. It has nothing to do with the nurses, attentions, other than specifically mentioned in the plan.

Mr. Southam: Any further discussion gentlemen?

Mr. Boyd: Clear.

Mr. Thompson: Yes, Mr. Chairman, I would just like to comment that it is very interesting to note, sir, you don't come into it too actively, but from the comments it seems that we will agree to this paper subject to terms set out by doctors. When the same proposition was put forth on another matter this morning we couldn't agree to this because we had to know the specifics. Therefore, I would like to see the specifics laid out in a little firmer detail at this time before proceeding.

Mr. Taylor: Mr. Chairman, this morning we couldn't have the Dr. in here and I might say that the specifics will not come until we see the five year agreement.

Mr. Boyd: Question on the motion.

Mr. Southam: Any further discussion gentlemen? I have a motion before the House moved by Councillor Taylor and seconded by Councillor Watt that Council agree in principle to the proposals outlined in the Sessional Paper #56. Are you agreed? Contrary?

Mr. Thompson: Contrary.

SESSIONAL
PAPER #56

Mr. Southam: The motion is carried. Have we any further need of Dr. Sprenger this morning, may he be excused? Thank you Dr. Sprenger.

MOTION
CARRIED

Mr. Southam: We will proceed with the Justice vote. At this time I would ask Councillor Shaw to tell us just what was in the last five year agreement.

VOTE 13

Mr. Shaw: Mr. Chairman, in relation to this justice vote, I am very concerned with the fact that Justice doesn't appear to co-operate with our wishes in providing qualified or capable people in the legal field. We need a person to assist the Legal Advisor. I have been up and down on my feet here on this matter for four or five years. We did at one time hold back the Justice vote in respect to this but I think that we were assured that by signing the agreement they would attend to the requests from Council. So far they have not had it done. We have spoke on that for some length and my wishes at the moment are not to approve the estimates from this department. However, I must concede to the fact that I was one of those a couple of years ago who agreed to the Commissioner signing on behalf of the Territory, a paper of agreement with the R.C.M.P. and to not approve this expenditure now would be breaking this agreement. All I can say now, I am a party to the agreement and I am not able to renege on the agreement that I was a party to a number of years ago, or that Council was a party to. I will have to act against my wishes on this and approve of it.

Mr. Taylor: Mr. Chairman, the honorable member is correct in that we have signed an agreement in respect of this Justice vote. However, I would like to submit, as he has pointed out, that we may be in a bind with respect to finance but it is not we who have broken faith with this agreement. It is the Department of Justice or a like Department that has broken faith with the Yukon and I think that this should be noted by all members. This question was raised when we did withhold the police agreement for a couple of years. We used it as a lever in order to encourage the Justice Department to take some action and bring justice to the Yukon and meet some of our needs and desires, such as an assistant to our legal counsel. Now, in this budget, even though we have signed something, it has been pointed out that we have no department of justice in the Yukon, more properly if this was to appear in the budget it should be charted as expenditure for the federal government and we should have no position or place in our budget for this. There have been inconsistencies where we have duplications, where we have little information, and I think that when we deal with matters such as this that we should be able to find out what for instance the incidence of crime is in the Yukon Territory and what is being done to combat it, there are many things that fall into the category of Justice. It has been pointed out that we are not paying anything for the Judge of the Territorial Court and his salary is not provided for under this budget. And there is no provision in this budget for a solicitor to assist our Legal Counsel, something we have been asking for for many years. There are other inconsistencies throughout this budget and it is deplorable again that we have to go so many years before we realize anything. This is one of these departments, unyielding departments, such as taxation, revenue, etc. and it seems that when we pay the substantial sums that we pay on behalf of the people of the Yukon Territory to the federal government for policing, for justice, that we should have a little more control in the matter. I would not be prepared to pass this budget and I am still not prepared to pass this budget on the grounds as I set out at the outset. Though we have signed an agreement the federal government has broken faith and I refuse to agree to expenditure on those grounds.

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Mr. Shaw: Mr. Chairman, I will agree that we can use this as a lever, but unfortunately we cannot vote. You are exactly in the same position as before. I would say that this is a breach of faith on the part of the federal government on the Department of Justice. However, we must---we have had the Commissioner sign a solemn agreement and we are not happy with the situation but I cannot see a solution and I have no alternative but pass this estimates. I cannot complain about the various sundry parts of it as there is no way of finding out about them. They are like the sacred cow business where we don't ask questions. It is all tied up with the federal budget and I would have to go along with it and I will move that the expenditures be approved.

Mr. MacKinnon: Mr. Chairman, well when I first came to Council we were having the same trouble and I believe that the budget on Justice had not been passed for some prior years before that time. You were using it as a lever and when I first came into Council we had this dumped in front of us and we passed the bill. Now, I can see that things have not improved a little bit and all I can see what is happened is that our Senior Legal Advisor has more and more work to do and he has no assistance and I believe we would be far better off in this Council if we had a Legal Advisor with us at all times. I do realize that Mr. Hughes is too busy to be here and I think that possibly, if we did have a legal advisor here with us since we first talked this spring that we would be at home instead of bickering over Territorial affairs so that is why I cannot give this my support.

Mr. Taylor: There is another question that should be raised here in respect to this. Another reason why I oppose this is that we have asked for legal aid. Where is it reflected here. Where is the cost for paying the Justices of the Peace? I think they do receive something and I believe that this is provided for under the Department of Justice. However, I am not too clear on this. Another thing, the question has been raised from time to time in relation to the need for stipendary magistrates in outlying districts. I know this need has been stressed through letters and correspondence in my district. I would just like to ask Mr. Legal Advisor if he could enlighten me on these three items.

Mr. Legal Advisor: From the information to range on a number of points I will try. I will deal with the Councillor's questions but with your permission I will cover some other things as well. If you look at the estimates as a whole, on page 2 you will see \$95,000, this was a subject of some comment yesterday and while the Council is perfectly free to do what it wishes, I would recommend or recommend consideration for adding, one cannot initiate it but one can suggest. I would recommend \$20,000 for defence counsel. There is in there an element for defence counsel but it is \$5,000 a year. What counsel has set in principle for legal aid, well you need something bigger so it should be something higher. The Defence Counsel have complained to me and I think that their complaints are justified, they are underpaid. Now, I would suggest therefore in the margin you mark on \$20,000. For the maintenance of prisoners, they have an item there of \$80,000, you can see the previous year's expenditures at \$81,000 and \$94,000. Now, \$80,000 in the light of services is and should be presumably \$100,000. So, if you wish to pencil in the margin, \$100,000. Now, on page three, you will see the magistrate at \$13,500. I don't think I can agree with the decision on that, we have a hard working magistrate and a man who dedicates himself to his work the way he does. You have no right to expect to get a man so dedicated at \$13,500 when he could get \$18,000 somewhere else. So it should be

Mr. Legal Advisor continues.....

\$18,000 or \$20,000. That salary range has ceased five years ago at \$13,500. It follows all the way along the line. Now, Councillor Taylor has mentioned the need for additional magistrates. I think I have some reason to think that while he is discreet in voicing an opinion, I think the magistrate would like some respite because he goes all over the Territory and he would be the first to welcome some assistance. There is no provision for it and it has never been contemplated, it was not thought of five or seven years ago. So, in the margin put \$18,000 and put something there for an assistance, some professional assistance. A clerk at \$8,000---that should really be \$9,000, this merely reflects the rise in the cost of living. And so on, all the way down the line and even without trying I think the estimates should arrive at \$104,000 instead of \$77,000 and this doesn't include provisions for an assistance magistrate. As you go down the rest of the page the allowances, there is no allowance for a lawyer. Presumably he would be on isolated allowance too. There is nothing allowed for travelling allowances. I am supposed to be in Toronto next week. I have approval to go but no money so Justice assured me that they would like me to go but they don't have the funds and the Territory doesn't include me in their vote because they go through Northern Affairs. Unless I am a very fast bicycle rider I will not get there. So, travelling expenses should have something there. There is no provision for lawyers and there should be two or three. The summary of my work is that that figure you have on that page three and on page four on the costs is \$40,000 below a year and should be discussed with the gentlemen coming from Ottawa. I offer you these as an estimate and a point of departure toward realism. With regard to the visit from the gentlemen from Ottawa, I spoke to them on the phone. Of the three man section, one man is dealing with a special inquiry, the second is to go out of the country on other work as head of the section. The third has to stay continually at his desk to deal with the problems while the other two are away. He is trying at the same time to prepare cases for the Supreme Court. It is not a deliberate refusal to come. They are overcome with work and they are understanding. How long this situation will last is unknown and the visit will likely continue to seem impossible. If you look at the pension provisions on page one you will see a figure of \$317,582 and that is your police payroll and in the light of the forecast increases I would suggest that your estimates be increased to include another \$50,000. You are increasing your forces at Watson Lake, setting up detachments at Clinton Creek, at Ross River, and so on. Of course your pension plans will go up by \$6,000. I mention those figures because in fact for your police force you are only paying \$55,000 for headquarters, \$21,000 for training, and \$38,000 for the pension contribution instead of a minimum of \$318,000. I would suggest this should be \$367,000, plus something in the order of \$50,000 for pension. This isn't in definite form but I am assured, and I have my own belief, that it is very difficult for them to settle cost figures. I think your police costs are lower than they should be because you don't pay the cost figures. On the other hand there are other ways and means you may wish to see provided for, more money for the magistrate, for an assistant magistrate. You may wish to not reject this vote but to accept it and call for a supplementary one and at which time you may be able to get more detailed information. But, until you do vote for travel approval, I can't even go to Ottawa and get you the information you desire. Now, the Council asked about a Legal Advisor, there is no provision there. You can call for it in the supplementary estimate. I am not sure whether the J.P.'s come under this or not. Another point is that the J.P.'s are not getting enough. I know one Justice of the Peace who is the

Mr. Legal Advisor continues.....

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only available one and there are times when he has to travel 12 to 14 miles each way to try a case. Now, his mileage, I am not sure that he gets a mileage allowance, but he gets something in the order of a dollar or two and if there is no conviction, he doesn't get anything. So, you see, the system is just alien to the usual idea that a J.P. should be paid by results, but not a desirable way of attacking the matter. Now, that's the J.P.'s fees. I doubt that you will question the Magistrate. I appreciated very much the remarks of the Councillor from Kluane. I would like to say that if it hadn't been for the co-operation of the Council, something would have come to a full stop, either my work upstairs or my work here. I just couldn't have, even working at night, I couldn't have kept both operations going. I apologize for any imperfections in preparing material but there is just a limit to my output. However, sir, when Vote 13 was under discussion, the member from Whitehorse West said that the radar unit inspected by the Council last Session was not the unit now in use by the R.C.M.P. Personally, I felt rather disturbed about this because you had been given certain assurances regarding the use of that unit. I indicated at the time that I would check on this. I have to report as follows: the unit is the same and it has not been changed. It is kept under the sole control of one police officer, the trained officer, and is under lock and key when he is not operating the patrol. The Staff Sergeant made the inquiry over the telephone when I was present. He got through on the phone and asked to be put through to the Highway Patrol. I don't know who he spoke to, but this is the information that he relayed back to me. In view of the fact that the member was firm in his statement that the unit was not the one that was inspected, if I may ask for the source of his information, I will go back to the police and confront them with his information so that I can check it out to the satisfaction of the Council. I think I have covered all the points that I have and I hope I have answered Councillor Taylor's questions.

Mr. Southam: At this time gentlemen, I will call a short recess.

RECESS

Wednesday, May 4, 1966.
4:30 o'clock p.m.

Mr. Southam: I will now call the Committee back to order.

VOTE 13

Mr. Taylor: I have just one additional question, Mr. Chairman, and that would be in relation to the need for a Magistrate in the Watson Lake area, as has been pointed out, to serve both Northern British Columbia and the Yukon on a full-time basis. Is there any possibility, or how do we go about getting this Magistrate for this district most expeditiously or do we have to contend with the same old thing that we have contended with for three years.

Mr. Legal Advisor: Mr. Chairman, I can't give a ready answer to that. My attention has been drawn to this by representations from Watson Lake and I have relayed it to the Department. It was my hopes that a Departmental member would be here and discussed it and we could have arranged for him...not having a travel expense, I couldn't have gone...arranged for him, at least, to go to Watson Lake and discuss the matter and review the matter there and get a documented presentation. All I can do at the moment is continue to write. It might not be an appointment in such direct terms as the Councillor looks for. It might be that the Territory would have to be broken up differently. I have no sort of formula on this at all, but the Councillor should be assured that I have sent these presentations through to the Department and they are on the agenda for discussion. I don't know what else to do.

Mr. Taylor: Mr. Chairman, this is the reason why I think that we have got to have some firm understanding with the Department of Justice because certainly this situation... this is just one small situation...and this is the need for a Magistrate in the Community of Watson Lake. Already, I understand, that we have five policemen billeted there and a sixth one is to be provided this summer and you can imagine the work load that is being placed on the J.P. and, quite frankly, the J.P.'s, two of them, don't wish to have anything to do with the J.P. work now, and it is left to one Government employee to do the work and he wants to get out of it as quickly as possible. If he does resign, there will be no J.P. whatsoever in the Community and it's getting to be a pretty desparate situation. Now, if we have to go to Justice and wait three, or four, or five years for such a Magistrate, a Police Magistrate, this isn't going to help us either. As I say, I am going to oppose this Vote and I urge every Member of Council to turn this Vote down until Justice renew the faith that they have broken with the Yukon.

Mr. Watt: Mr. Chairman, one question I asked...that has been cleared up...and that was with the machine that is being used for traffic offences now. It has been changed not too long ago, but it was during the time...there has been two inspections I have found out on two different machines....and I did not know that there was another inspection after I was forced out of Council here in the last Session. I did not know there had been another inspection at that time so I stand corrected on that point, but I still do not believe the machine itself could be accurate because you have got a human element....there is one individual there looking into the device and writing it down and I am not satisfied with the accuracy of the way the machine is being used and operated and that is one

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Mr. Watt continues:

of about five points that I am still not satisfied with. If a technician came and told me and described how this individual sits there and writes out these tickets. At least he should have a witness or something to say that he has got the right car at least, but this is just a small part of it. I am not going to vote against Justice because of one small issue or part of it. I am not satisfied with the Justice Department. I am not satisfied with the co-operation we have been getting from the Justice Department and part of this lack of co-operation is the lack of the Federal Government in upholding their section of the Police Agreement. Part of the Police Agreement was the appointment of another legal assistant, whether it was senior, junior...but there should have been one more man here. It was promised a long, long time ago and this is why we withheld our approval for the Justice Vote. There were about five reasons I have given why I am not going to approve of this Justice Vote, and I am not going to try and brainwash anybody else into voting with me if they do not wish to. I don't think that Justice will stop in the Territory. The Minister of Justice, I don't think, for one minute will say "We are going to withdraw all the policemen and let the citizens run wild", but they will look into what we are complaining about with this Justice Department, and if we don't, we are right back where we were the last session, the session before, the session before, the session before, the session before, and the statements that Mr. Legal Advisor has just given us about we are not asking for nearly enough....I think Mr. MacKenzie provided us with the original Estimates, so we have another set of Estimates. Now we have another set of...an introduction of money matters by a member of Administration. I don't know whether it is with the approval of Mr. MacKenzie or the Commissioner. I understand that most of this legislation and the running of the Territory is done by the introduction of money bills by the Commissioner and the approving of it, or the rejection of it, by the Territorial Council. This...somebody is telling us that we are still \$140,000.00 too short even of what Administration is asking for...is not, to me, an argument saying that I should switch my opinion and say that I think Justice is being done now. I have pretty strong opinions on this and I think that until some of them are corrected, I don't think I am doing what I am paid to do here and do what I think to the best of my ability is voting money for...seeing that it is being spent properly and with the approval of Council in the best interests of the Territory. I think that this is the only thing that we can do. We either accept this Justice Vote or reject it and I am so dissatisfied with it...I have never rejected a whole Vote yet in five years...but this is the only way, I believe, that I can make my point clear. If I declined to vote and if it happened that a certain Primary, Primary, say, 87, were reduced from say \$200,000.00 or whatever it is to \$100,000.00, then there is no reason why this \$100,000.00 couldn't be made up in allotment transfer within the vote. Apparently this is legal to have allotment transfers within votes. I regret to say that I have no other choice but to vote against this entire Vote, and I think it is in the best interests of everybody that I represent.

Mr. Thompson: Well, Mr. Chairman, that was quite a dissertation but I think, and this has probably been lost in the tall grass, I think that, for the record, it should be stated here and now, contrary to what the Whitehorse West Member said, that he walked out of Council on his own accord and

Mr. Thompson continues: that nobody forced him out and that the sooner that this is understood, the better. As far as the Justice Department is concerned, I feel that they have done us no service whatsoever, whereas I feel that the legal division have, and in voting against a Justice Vote, I feel that we should have some provision in there for the Territorial legal division and I feel that this should be adamantly understood, and I think that provision should be made in this Budget, in the '67 Budget, and in the Five Year Agreement.

Mr. Boyd: Well, Mr. Chairman, I notice a figure of \$25,000.00 on this last page here, unallocated. I presume that nobody knows what that is intended to be for. I am wondering, could it be for another legal man? Could it be for contemplated increases in salaries? And, also, I am wondering if the provision for salaries in here are subject to the increases that have recently been authorized? It may not show on here. I don't know the answers. Is there anybody in this room that does know the answers? All I need to this is a yes or no.

Mr. Southam: Could you answer that, Mr. Legal Advisor?

Mr. Legal Advisor: No, I cannot answer these questions.

Mr. Shaw: Mr. Chairman, I did make a Motion a little while ago but it wasn't seconded and if it's not seconded, it's not much good. I agree with a great deal of what Councillor Watt has just stated. I don't agree with all of it. We might introduce a Motion in respect to having money approved for matters that we have raised over the past number of years....I am quite in agreement to doing something like that but I think, if you stop and look at it unemotionally, you will see that we have an agreement with them...signed, sealed and delivered...and whether we pass this or not, the Commissioner, I would assume, would be forced to live up to the terms of this Agreement whether we agree or not because we have agreed in the first place that he sign it. In other words, it does appear to me, from my very limited legal knowledge, that the agreement has been made with our sanction and he must go through with it. The fact that we change our mind later on doesn't affect the agreement, I don't think, unless you can prove to the Judge that there has been some form of skullduggery involved in the agreement, or coercion. It would appear to me that if we did...and I think Council could...maybe not work on it right now but if we could get together and form a resolution directed to the Department of Justice of what our complaints were and what we felt should be rectified and approve the money at the same time because it is going to have to be approved anyway.. that that might be...at least it would be...as effective or not, I don't know....that's a question I can't answer. According to past performances, it would just be a waste of paper and a waste of time. This very thing, Mr. Chairman, indicates the inadequacy of the present system of Government and it's another very good illustration, and until we can get control in the hands of the elected people of the Yukon Territory, we will continue to be in exactly the same position ten years from now as we are at the present moment. That is my humble opinion. I leave these remarks for this Committee's consideration. I won't get up and discuss this matter anymore. I will just say that I will have to approve the expenditure, in my estimation, on account of the prior commitment and for that only reason.

Mr. Southam: At this time, gentlemen, looking at the time, I think we will leave this until tomorrow.

Moved by Councillor Boyd, seconded by Councillor Taylor, that the Speaker do now resume the Chair and hear the Report of the Chairman of Committees.

MOTION
CARRIED

MOTION CARRIED

Mr. Speaker: I will now call this Council to order and hear the report of the Chairman of Committees.

REPORT OF
CHAIRMAN OF
COMMITTEES

Mr. Southam: Mr. Speaker, Council convened in Committee of the Whole at 10:15 A.M. National Parks was discussed with Mr. Brooks in attendance. Motion No. 38 was defeated. We reconvened at 2:00 P.M. with Dr. Sprenger. It was moved by Councillor Boyd and seconded by Councillor Watt, that the proposed proposals in Sessional Paper No. 39 be accepted as is. This Motion was carried with Councillor Taylor and Councillor Thompson voting contrary. It was moved by Councillor Taylor, seconded by Councillor Watt, that Council agree to the principle in the proposal outlined in Sessional Paper No. 56. This Motion was also carried with Councillor Thompson voting contrary. There is some progress on Bill No. 4, Mr. Speaker.

All: Agreed.

Mr. Speaker: We now have the agenda for tomorrow. What is your pleasure in this respect?

Mr. Taylor: Mr. Speaker, I would suggest that we continue with the discussion on the Justice Estimates and if there is anything more in the Budget to tidy up at that time, we could do that and then proceed with bills....pardon me, the Motion on Autonomy, that would be Motion No. 40.

Mr. Speaker: Well, is it agreed that tomorrow morning, we will discuss, after the routine, Bills, Memoranda, Sessional Papers, Motions. Discuss Justice first and then continue on to Motion No. 40, Autonomy.

All: Agreed.

Mr. MacKinnon: Mr. Speaker, I move we call it five o'clock.

MOTION
CARRIED

MOTION CARRIED

Mr. Speaker: The Motion is carried and this Council now stands adjourned until tomorrow morning at ten o'clock.

Thursday, May 5, 1966.
10:00 o'clock a.m.

Mr. Speaker read the daily prayer and Council was called to order. All Councillors were present.

Mr. Speaker: Before we have the Clerk read the correspondence, I have some correspondence here in relation to the matter of your Committee's visit to Montreal, Expo '67, and Ottawa. I have a number of letters here which any Member can peruse, which I am sending. I will just read one. They are all very much the same. This is a letter from myself, as Speaker, to the Honourable Arthur Laing, Minister of Northern Affairs. It reads as follows: "Dear Mr. Laing. I would like to express to you, on behalf of the Legislative Council of the Yukon and the Committee who travelled to Montreal and to Ottawa in relation to our participation in Expo '67, my appreciation for the great assistance and support you provided. Your choice of Mr. Gordon and Mr. Bolger as a co-ordinating group, was most helpful to our party. I would commend them to you for the able manner in which they handled their part in the overall planning and in the assistance they provided. I was sorry to note some of the uncalled for and vicious remarks directed at yourself and to us by the Edmonton Press. It is indicative of the type of people that we are battling with in order to retrieve our rightful inheritance. This commercial group know they are wrong and to justify their immoral actions, their only alternative is to slander and malign those who have brought them to task in their deceit. I also note that this very same newspaper is already looking for a way out of its dilemma by cagily backing the principle of the Fort Edmonton theme. I again thank you for what you have done and the support you have given us during these somewhat trying days of trying to retrieve an almost lost part of our history. With kindest personal regards. Yours very sincerely." That is the letter that will go to the Minister of Northern Affairs. The other ones are here if you care to see them. Were there any comments? Mr. Watt?

Mr. Watt: I was just going to say, Mr. Speaker, that I agree with the actions that you are taking in this respect. If you have another letter along the same lines...if you just mention to whom they are written to, that is all that would be required as far as I am concerned.

Mr. Speaker: Well, I have written to Mr. Pierre de Bellefeuille and Mr. Leslie H. Brown. Mr. Clerk, have you any correspondence this morning?

Mr. Clerk: I have nothing this morning, Mr. Speaker.

Mr. Speaker: Thank you, Mr. Clerk. Have we any Committee Reports? We have Bill No. 16 and No. 17 for introduction. What is your pleasure?

Mr. Boyd: Mr. Speaker, I would beg leave to introduce Bill No. 16, An Ordinance to Repeal the Loan Agreement Ordinance 1961 No. 1, Chapter 2, 1961 (2nd Session).

Mr. MacKinnon: Mr. Speaker, didn't we decide here some time ago that we were not accepting any more Bills? I believe that we did and I think it's just about time we put a stop to this. They will be coming in all summer.

Mr. Speaker: For your information, Councillor MacKinnon, it was mentioned that perhaps we should do this but it requires a Motion for the particular matter to implement such....

Mr. Taylor: I would second the Motion, Mr. Speaker.

INTRODUC-
TION OF
BILL #16

Moved by Councillor Boyd and seconded by Councillor Taylor, that Bill No. 16, An Ordinance to Repeal the Loan Agreement Ordinance 1961 No. 1, Chapter 2, 1961 (2nd Session), be introduced at this time.

Mr. Watt: Mr. Speaker, I am contrary and the reason I would like to state for both of these Bills is that in the statement beside the Bill, the reason is that they want these repealed right now and they don't think that the present Ordinance will be needed, and we have to look into the present Ordinance to see if it will be so there is going to be no hardship caused if things are left the way they are right now, without the introduction of these two Bills. I think the Administration could have presented these to us quite some time ago if they had thought that these were necessary so I would like to record my vote as being opposed to the introduction of these two Bills because I do not think that they are necessary at this time.

MOTION
CARRIED

MOTION CARRIED

Mr. Speaker: The Motion is carried with Mr. Watt and Mr. MacKinnon opposed to the introduction of Bill No. 16.

INTRODUC-
TION OF
BILL #17

Moved by Councillor Boyd, seconded by Councillor Taylor, that Bill No. 17, An Ordinance to Repeal the Whitehorse Land Sale and Loan Ordinance (1961) be introduced at this time.

MOTION
CARRIED

MOTION CARRIED

Mr. Speaker: The Motion is carried with Mr. MacKinnon and Mr. Watt in opposition. Have we any Notices of Motion and Resolution this morning?

NOTICES OF
MOTION #46

Mr. Taylor: Mr. Speaker, I would like to give Notice of Motion respecting Game Department Development.

#47

Mr. MacKinnon: Mr. Speaker, I would like to give Notice of Motion re Air Strip.

#48

Mr. Watt: Mr. Speaker, I would like to give Notice of Motion respecting immediate establishment of a Territorial Park in the Yukon.

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

Mr. Watt: Mr. Speaker, I would like to give further Notice of Motion respecting the introduction of Ordinances to the Yukon Council at this Session.

Mr. Speaker: I might add, in this respect, the custom in the past has been for a Member to move, with a seconder, that after such a date...it's usually...a day or so is usually given...in time that no more Bills...Government Bills..be accepted. If you so wish to do that, it is not necessary to set it in there, I don't think...if you would like to make a day certain, but I would say not tomorrow morning. You would have to give a day at least.

Mr. Watt: Mr. Speaker, I agree with you there and I tried to do this some time ago...several days ago....so I will now make this Motion again that no more further bills be accepted in this Session after May 7.

Mr. MacKinnon: I'll second that Motion, Mr. Speaker, and I am quite certain we went through all this before.

Mr. Taylor: Mr. Speaker, speaking on the Motion, I must rise again to point out that in view of our upcoming deliberations with respect to autonomy, with respect to the Five Year Agreement and with respect of the Budget...I believe the more contentious issues of Council are still to be discussed and I would think it would be folly at this time to place a closure on Bills in the event that one is required for the public good prior to our prorogation. I think this is a little premature.

Mr. Speaker: I might add in this discussion, that if Council feels that something is of public urgency, it is their prerogative to change it if they so wish.

Mr. MacKinnon: Mr. Speaker, I would like to suggest that, if it's necessary to accept Government Bills after the date that Mr. Watt has stated, that we adjourn on Friday evening for three weeks.

Mr. Speaker: I didn't quite get that Mr. MacKinnon.

Mr. MacKinnon: Mr. Speaker, I am suggesting that Council adjourn for three weeks on this Friday. I am sure that most of us have business to attend to and once we get things on its feet at home, then we could return and continue with this business. I mean if we are going to continue accepting Government Bills for the next two weeks or three weeks, we might as well stay here all summer, and I am just suggesting that we adjourn this weekend, for at least three weeks and give us a chance to get our businesses open and then we will come back if Mr. Taylor wants to continue with Government Bills.

Mr. Speaker: I might add the Motion is that no Bills be accepted after May 7.

Mr. Boyd: I wonder if I might ask is that intended to mean no new Bills? Anything arising out of what is before us at the present time in the form of an Amendment or so on, would not be included in this Motion. Would I be right there?

Mr. Watt: In summing up the intent of the Motion, Mr. Speaker...as you said a while ago, this has been customary in the past...to make a Motion and to give the Administration, if there was anything urgent that they want to put before us, they would know...something is urgent before the next Session comes up....we are going to be sitting again in another six months and these last two Bills that were introduced, the reason that was given was that "it would only be a source of confusion to leave them on the Ordinance Books". Well, if the Administration is going to go through the Ordinance Book and take out every legislation that's in there that might be a source of confusion, there is no end to the length of time that we are going to be sitting here. I think this Motion should be accepted and, as Mr. Boyd says, anything that is before us now, we can make a Motion on it or a Resolution or Amend an Ordinance that has already been introduced. I think that had we made this motion some time ago, which had been suggested in the past, that we wouldn't have had these last two Motions before us now which could have just as easily have come before us next fall.

Moved by Councillor Watt, seconded by Councillor MacKinnon, that no Bills be accepted after May 7.

MOTION
CARRIED

MOTION CARRIED

The Motion was carried with Councillor Taylor contrary.

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

Mr. Thompson: Mr. Chairman...Mr. Speaker, I would just like to query the Motion submitted this morning with reference to a Territorial Park. It was my understanding that once a Motion or a subject had been introduced once at a Session, that it was improper to resubmit a similar Motion.

Mr. Speaker: Well, that does present some difficulty. I don't know how one would actually look at that but the original Motion was for a core-type National Park with a Territorial Park around....

Mr. Thompson: Mr. Speaker, could I correct you? The original Motion was that we establish a National Park and a Territorial Park.

Mr. Taylor: Mr. Speaker, I think it is kind of hard to consider what is in order and what is not in order until the Motion has been presented. I think the Honourable Member has given notice of his intent to submit a motion for the consideration of Council tomorrow and I would think that that would be the proper time to determine as to whether or not the Motion is in order or not.

Mr. Watt: Agreed.

Mr. Thompson: Well, naturally, you agree Mr. Watt, but I would like it noted that I am opposed to the presentation of this motion.

Mr. Speaker: Thank you, Mr. Thompson. Have we any further Notices of Motion and Resolution? If not, have we any Notice of Motion for the Production of Papers? If not, we will proceed to Motion No. 45. We have Motion No. 43. That's still....Mr. Watt, you still wish that to be in abeyance, do you?

Mr. Watt: Yes, Mr. Speaker.

Mr. Speaker: We now have Motion No. 45, Mr. Taylor, Klondike Defence Force Funds.

MOTION #45

Mr. Taylor: Mr. Speaker, this is Motion No. 45, moved by myself, seconded by Mr. Shaw, respecting Klondike Defence Force Funds. Whereas it is recognized that funds will be required to assist in the financing of advertising related to the retention and development of the Yukon's Klondike, therefore it is the opinion of Council that the Administration make available to the Yukon Klondike Defence Force, funds in an amount not to exceed fifteen thousand dollars for approved advertising expenditures. May I proceed, Mr. Speaker?

Mr. Speaker: Proceed, Mr. Taylor.

Mr. Taylor: Mr. Speaker, as we are all aware, we have undertaken, through our fighting wing, a battle...we so term it...with the municipality of Edmonton, Alberta, in an effort to stop the commercial exploitation of our Klondike and, of course, this body has been the fighting wing as I have stated and are doing a tremendous job. However, bond sales alone, which are their only source of revenue, are not sufficient to carry on the intense advertising that must be undertaken in order to bring the battle to a successful conclusion. Consequently, I might say that the Minister in Ottawa had assured the Committee who were down there at that time of his fullest support and, more particularly, in the form of supplementary estimates to assist in proper advertising in order to ensure that the Territory's position in this respect was protected. We will be proroguing fairly soon, I imagine, possibly within a week, and this would allow the Commissioner and the Administration to dispense funds only for approved advertising expenditures over the period of the conclusion of this battle. I would leave it at that point. I think the Motion is quite self-explanatory.

MOTION #45

Mr. MacKinnon: Mr. Speaker, is the Motion in order?

Mr. Speaker: I would say the Motion is in order, Mr. MacKinnon.

MOTION CARRIED

MOTION #45
CARRIED

Mr. Speaker: That completes the Motions for this morning. We now are on to the question period. Have we any questions?

Mr. Taylor: I just have one question and rather than raise the matter anywhere else, I wonder if Mr. Clerk could give the assurance to Council that these reports on Northern Affairs and National Resource Committee Hearings will be forthcoming to Council as they are produced in Ottawa. They could be mailed to us.

Mr. Speaker: Can you give that assurance, Mr. Clerk?

Mr. Clerk: Yes, Mr. Speaker.

Mr. Speaker: Thank you. Are there any further questions?

Mr. Southam: Mr. Speaker, I wonder if I could ask Mr. Clerk when I might get an answer to this Question No. 26 because if the answer is what I expect, I will have to put in a Motion and I would like to get it as soon as possible.

Mr. Clerk: I would say sometime the first of next week. Not before. I think the question is only two days old now. It would have been delivered to the Administration yesterday afternoon. If we get real service, we may get an answer sometime during the day tomorrow but I then wouldn't be able to table it before Monday morning.

Mr. Speaker: Mr. Southam has expressed urgency in the matter and I would appreciate if you would do what you could to expedite this.

Mr. Clerk: I will, Mr. Speaker.

Mr. Speaker: Have we any further questions?

Mr. Taylor: Mr. Speaker, I have another question to direct to Mr. Clerk in an effort to more or less save time. In view of the fact that the issuance of motor vehicle licences and drivers and chauffeurs licences and the like is not undertaken until the first day of April, and in view of the fact

Mr. Taylor continues:
that they expire at the end of March...the old ones...and also due to the fact that this is causing problems for people who might be in the outside provinces at this time, would the Administration be able to assure Council that this coming year that we will place our motor vehicle licences on sale on the first day of March, giving people the thirty days before the expiry date of their old ones to acquire the new licences?

Mr. Clerk: At the moment, I cannot give that assurance, Mr. Speaker. It would have to be an instruction from the Commissioner's office and it would have to be given due consideration. I couldn't possibly give this assurance right now.

Mr. Taylor: Just a supplementary question, Mr. Speaker. Would Mr. Clerk kindly take that question as notice and attempt to obtain this information for us?

Mr. Speaker: I think that can be attended to. Get the information on that, if you can, Mr. Clerk. Have we any further questions?

Mr. Boyd: Well, I am a little bit...here we have one Member implementing something that he seems to feel is necessary, without Council having any say in the matter. It's a change of procedure. There must be reasons for carrying on and doing the business in the present manner, otherwise it wouldn't be so. This is just a little bit baffling to me that an instruction can be out that a certain guarantee will be made that the situation will be changed next year without Council's concurrence.

Mr. Speaker: Yes, I am afraid that question....

Mr. MacKinnon: Mr. Speaker, the same thing goes on continually here.

Mr. Speaker: Order, please, order. That question, I think, is a matter of policy. I think the question should have been directed in a different manner. We will let it sit at this present moment. We won't continue with it because it won't serve any useful purpose. After this...a simple question should have been why they are not issued earlier. I think this would have solved it.

Mr. Taylor: Mr. Speaker, I will place it under Orders of the Day tomorrow as a Motion.

Mr. Speaker: I have quite some difficulty sometimes when you gentlemen raise questions as to exactly what's in order because they get a little out of hand. I would ask that you rephrase your question. This one could have been "Why are they not issued on the first of March instead of the first of April". However, are there any further questions? If you have no further questions, we have Bill No. 15 under the Public Bills for First and Second Reading to complete the routine of the Day.

Moved by Councillor Boyd, seconded by Councillor Southam, that Bill No. 15, An ordinance to Authorize the Commissioner to Purchase a Sewage Disposal System from the Municipal Corporation of the City of Dawson, be given First Reading.

FIRST
READING
BILL #15

MOTION CARRIED

MOTION
CARRIED

*First
Reading
Bill
#15*

SECOND
READING
BILL #15

Moved by Councillor Boyd, seconded by Councillor Southam, that Bill No. 15, An Ordinance to Authorize the Commissioner to Purchase a Sewage Disposal System from the Municipal Corporation of the City of Dawson, be given second reading at this time.

*Second
Reading
Bill
#15*

MOTION
CARRIED

MOTION CARRIED

Mr. Speaker: What is your pleasure now, gentlemen?

Moved by Councillor Boyd, seconded by Councillor Southam, that the Speaker do now leave the Chair and Council resolve itself into Committee of the Whole to discuss Bills, Memoranda, Sessional Papers and Motions.

MOTION
CARRIED

MOTION CARRIED

Mr. Speaker: The Motion is carried and Mr. Southam will take the Chair in Committee of the Whole.

Mr. Southam: I will now declare a short recess while we get organized.

VOTE 13

Mr. Southam: I will call this Committee to order, and we will carry on with the Justice Vote where we left off. I don't know where we left off. Mr. Hughes, have you anything further to say?

Mr. Legal Advisor: I thought there were one or two points that I should check out with Ottawa and see if I could get some more information. I wasn't able to get it all because the officer who is most familiar with the figures is away at the present time. I inquired about the absence of the Territorial Judge's salary from the Estimates that you had. I was told that this, in fact, doesn't fall into the same bracket at all. It is not paid out of funds that flow through the Territorial account. The question of a second solicitor...you are, in fact, looking at the provision for the second lawyer, but, in my position, I am treated as a member of the Criminal Section of the Department of Justice and I am bundled into their account. My salary is in there. So, you do see there provision for an assistant, and he is treated on the same footing as the Magistrate and put through the Territorial Account. That is one explanation I was able to ascertain. I asked what the correct procedure would be, or the best procedure would be departmentally, to give force, give effect, to the points that Council has made this Session, last Session and several Sessions before, and I was informed that if a presentation, substantiated by evidence, could be assembled, it would then be presented to the Deputy Minister and eventually make its way into the Federal Parliament for approval there. I turned to the question of an additional Magistrate, or an assistant magistrate, as raised by the Member from Watson Lake. I said "How would this be done?", and it was suggested that in order to document the need, the facts would have to be assembled so that when the Minister of Justice goes in and presents his budget in the Federal House, he will have the ammunition, complete and factual, to convince the Treasury Board and the Cabinet and so on that there is a need for an increase in the allowance. I wasn't able to cover all the points being discussed because the person I was speaking to couldn't throw very much light on the breakdown method of charging the R.C.M.P. costs. However, I thought I should report the conversation to the Committee

Vote 13

Mr. Boyd: Mr. Chairman, Mr. Hughes says we are, indeed, looking at a figure for a second solicitor. I take it that that is included in that \$25,000.00 unallocated. Would that be correct?

Mr. Legal Advisor: No, Sir. The Solicitor 4 at \$12,154.00, is the actual sum. I am sorry, I forgot to find out what "unallocated" covered, and I doubt if the person I was speaking to would have been able to tell me. I sometimes feel that I am among the unallocated, but I am told I am in the Criminal Section, and I go through on their budget. However, they don't provide anything for my travelling expenses.

Mr. Boyd: One more question. It boils down to the fact, as requested, we asked for a legal advisor to be Territorially employed and this has met with no response insofar as their thinking is concerned, budgetwise.

Mr. Legal Advisor: No, Sir. They have provided a sum of money there and that is why they are charging this onto the Territorial Estimates. I am not charged against the Territorial Estimates. I am in the Department of Justice. The Police Magistrate is the Police Magistrate for the Yukon Territory and that is why he is charged there.

Mr. Boyd: One more question. You say under Territorial Estimates. This is all Territorial Estimates if I am not mistaken, but yet we have no say in the matter whatever, and this is the point I am trying to make. Am I right in this assumption? We wanted a Territorial Legal Advisor over whom we had some control. We are in the same boat if this goes on as we are now. Is this right?

Mr. Legal Advisor: This is true. He would still be a Member, as I understand it, of the Department of Justice just as the Police Magistrate is a member of the Department of Justice and the Clerk of the Territorial Court is, but in the Ottawa set-up, there is a difference how they put these bundles together. I am bundled into the Criminal Section. This other man would be bundled into the Territorial Court Section in their budget provisions. The provisions are a bit obscure in my mind as to how they rationalize these things but you would not have in this Estimate, your, a Territorial Public Officer...Public Servant...this is quite true. It doesn't provide for that.

Mr. Watt: Mr. Chairman, I would like to ask that Mr. MacKenzie come down and explain some of these figures to us. We have got three sets of figures now as I understand it. I am just completely confused and he could probably tell us what the Administration is asking for and explain the general set-up for us. He is the man that is in charge of finances as far as the Administration is concerned for the Territory. I would like to request to see if he is available for a few minutes. It shouldn't take long.

Mr. Southam: Is the Committee agreed that....

Mr. Boyd: Not at the moment, Mr. Chairman, because Mr. MacKenzie has already sat with us for a day concerning this and he stated quite frankly that he did not make these figures. He knows nothing about them and he can answer no questions concerning them.

Mr. Watt: Mr. Chairman, I would just like to submit then that these figures here, if they weren't submitted by the Administration, any money that we are talking about here is submitted by the Administration and voted upon by us. It's as simple as that. Then, who submitted them?

Mr. Southam: As I understand it, as your Chairman, you were discussing the Justice Vote here a short while ago. You wanted a breakdown of figures and at that time, Mr. MacKenzie suggested that you give it the hoist until he could get this breakdown from Ottawa and this is the breakdown from Ottawa. As I understood it, Mr. MacKenzie said yesterday that he still could not give us any explanation of the figures and that they were Ottawa's breakdown. I could stand corrected there, but this is just as I remembered. However, I still think if the Member wants Mr. MacKenzie....I doubt if he could give us any explanation of these figures....I think it is perfectly within his rights.

Mr. Boyd: I am not denying the right. I am merely just trying to explain to Mr. Watt that I don't think he will get what he is asking for even if Mr. MacKenzie is here.

Mr. Taylor: Mr. Chairman, from my own point, I agree that the Federal Government have prepared this. I don't think that Mr. MacKenzie could lend anything to it, but I would never deny the right of a Member of the chance of having a witness....as I was denied yesterday.

Mr. Watt: Well, I don't want to hold things up, Mr. Chairman. I would like to see how this detail fits into our Budget. There is an awful difference in our final figures. One is \$133,000.00 and one is \$500,000.00. Anyway, this could probably be explained to me, but the other objections that I do have with the Justice Vote are more general objections. They are not detailed objections about a particular expenditure and I don't know....maybe I wasn't listening close enough....I don't remember anybody around the table here...any of the Councillors anyway...asking for increased allowances for different people. I don't remember any of the Territorial Councillors asking about the Judges salaries. They may have. I don't know, but we got the answers today anyway which is fine. The main objections I have about Justice is that I think there is an awful lot of room for improvement, and the only way I can register these objections is by voting against this Justice Vote. It has been said that we have a Police Agreement with Ottawa. We do. We signed it in good faith and Ottawa, on the other hand, have not appointed this additional legal man which I think would have taken care of a lot of our difficulties but still we are voting money year after year. It's just like me buying a cord of wood from somebody and they don't deliver it so I give him the money over again next year and the next year, and I keep buying this cord of wood and never get it. Now, it's time that I quit paying this guy for these cords of wood until I finally get it, and this is just common sense. We voted this money year after year after year and now we are being told that the money is here again and we are going to vote this money for this guy again and, therefore....until we have something from Ottawa.. if they came along and said "You don't need this man and these are the reasons why", then I would listen to their reasons, but to me the reasons are more apparent now than they have ever been that we do need this man and every year the need for this additional man is increasing. Until we get something, then refusing to vote this Justice Department Vote is the only way I can see that we can get any action

Vote 13

Mr. Watt continues:

and I think that if the rest of the Councillors vote for it, the same thing will happen next year. We will not get any answer. If you do want any action from the Justice Department on this thing, I would strongly urge that all of the Councillors support...just letting the Justice Vote die in Committee. Just let it die.

Mr. Shaw: Mr. Chairman, no one agrees with Mr. Watt's sentiments more than myself, but I still maintain that we have a solemn obligation to live up to an agreement, a written agreement. As one of our renown Speakers of previous years stated, "Well, if it's not written, it's not implied", and I do not think that the Justice Department have ever at any time written down that they will supply this, supply that, or something else, except as it is in the Estimates. On the other hand, we have written down and agreed to pay them this money. I would like to give this particular expenditure the six-month hoist. I would very much like to do that. However, I was a party to an Agreement, and though it may have backfired in some sense, it's still my obligation to live up to my initial agreement so I would have to vote for the approval of this money..... whether I wanted to or whether I didn't. That is my position.

Mr. Boyd: Mr. Chairman, to me, I don't think it matters too much to Ottawa, really, whether we vote yes or vote no on this Bill. The wheels will have to turn regardless, and there is an Agreement. Ottawa, we can say if we like, are not living up to it, but I think I am going to vote to pass the Bill, knowing full well that I am only voting on principle. The figures here don't mean nothing to me. Furthermore, I think, to use a pretty strong word, the allowances for men in certain categories is nothing less than ridiculous. Here we have a lawyer...we are looking for....for \$12,000.00. We are hiring a man, a publicity man...somebody to deal with staff....none of them were in this category and, yet, here we expect a lawyer....they have got men on our staff here that haven't got near the ability that is required of a lawyer, and the responsibility. Anytime a lawyer gives answers, he's pretty nearly got to be right. He doesn't give them unless he does think he is right, naturally. The whole thing is out of proportion, and we are not going to get the lawyer on this figure. This is the ridiculous part of it. That figure has been in there now for three years, I guess, and Ottawa must know it, but they refuse to increase it. It's like the Parks Board. Same damn thing. So, I am going to vote for it and I've said why I am going to vote for it and I think if Votes and Proceedings are perused by those in Ottawa, they will know what my sentiments are.

Mr. Shaw: Just one comment. If we should not pass this Bill, we have the Commissioner in a pretty bad position. He has agreed to sign this paper. We are the people that allowed him to sign it. Now we say he can't sign it, and he has written down to the effect....he's required by law to sign it. Now, what kind of a position is he going to be in? The only alternative he is going to have is to invoke some section of some law someplace along the line... whether it's the Governor General.....according to the way it was agreed to by parties concerned. That's the way it appears.

Mr. MacKinnon: Well, Mr. Chairman, I was just going to mention, I don't feel so guilty as Mr. Shaw seeing I was not an elected member at the time that the Police Agreement was signed so, therefore, it will leave me free to vote against the Justice Vote and I will have no guilty conscience.

Mr. Watt: Mr. Chairman, if you use Mr. Shaw's reasoning now...trying to make it appear as if I'm a welcher and welching on an agreement that we have signed. If we signed that five year agreement that this amount of money be given every year...now why is this...we have been talking here for the last three or four sessions to have more details in the Justice Department Vote. Now Mr. Shaw says that it doesn't make any difference if we have the details or not. We passed this five years ago so we can't say anything about it. So, why do we even have this before us? I mean, we did it once five years ago, or four and a half years ago...we did it then so everything else is nothing. To me, it's not a case of welching. It's the case of putting somebody in the embarrassing spot, and I don't think it is going to necessarily be the Commissioner. I think it is going to be the Justice Department, and they are going to say "What is wrong here. We had better try and fix this up so that this amount of money can be voted in the Supplementary Estimates and so we can satisfy Council to their legitimate objections", if they are legitimate. If they are not legitimate objections, they will come back and say "Well, your objections are not legitimate" and we will look foolish and I will look foolish, and I am willing to look foolish if my objections are not legitimate and I think that they are. We have once before, and only once before, has Council ever refused to do the bidding of Administration. There was a big hullabaloo in the newspapers and we were told in so many words that we weren't doing our job and everything else, but after two sessions of refusing this, we started to get a little bit of action and we thought we were, so we went ahead and ratified approval for that and then everything stopped. Everything stopped dead. There was just a slight majority of us too that were disapproving of that particular agreement until this particular condition was filled. This was the particular condition under which we refused to sign that agreement. I thought progress was being made and I had faith in and I trusted in the answers that were given to us by the Administration that this would be taken care off and it hasn't. And, they have had another two years to do it...two and a half years to do it in. So, it's time for me to quit paying for this load of wood and finally get it. To me, I don't feel as though I am welching. I feel as if I am finally trying to pay for this extra cord of wood that I have been paying for year after year and I want to get it now. I don't think the Commissioner will be embarrassed. He can turn around and say to the Justice Department "Now, these fellows have a legitimate beef" and he can add his weight to ours and together we may get some action and this puts the Commissioner not in an embarrassing spot, but in a better spot...the whole administration in a better spot to go to Ottawa and say "These people are not satisfied. You are not living up to your agreement and they want you to live up to it". Therefore, I would like to have all the Councillors here support me in the rejection of this entire Vote.

Vote 13

Mr. Boyd: Yes, Mr. Chairman, I just thought of another point. We are paying the Crown Prosecutor an astronomical figure....absolutely out of this world. The Junior Clerk.. the junior partner in the office...he gets the same salary when he's on the job as the top man and all this kind of stuff. And, here, we play around with a few dollars. When we look at their figure and that we are paying for it. I think Council should go on record here as recommending that we employ our own Crown Prosecutor as such. We will save ourselves...we will pay him a good salary. We will save ourselves half of what we are paying now and we will be able to give that amount of money that we are saving to those who are underpaid at the present time here if we want to get serious, but this is something that should be thought about. This thing of handing out money...we are handing out for what we are getting, to me, is absolutely assinine and here we sit offering \$12,000.00 to hire a lawyer for a year. Holy Smoke!

Mr. Southam: At this time, gentlemen, I will call a short recess.

Thursday, 11:00 a.m.
May 5, 1966

Mr. Southam: I will call this committee back to order and we will proceed. Mr. Taylor.

Mr. Taylor: Mr. Chairman, yesterday I stated my particular reasons for opposing this particular budget and when we drafted our five year agreement, we are in our final year of this, it was noted in the report that the committee also reviewed the development for self-government in the Territory and the desirability of extending responsibility to the Territorial government in these fields of jurisdiction which are normally assumed by the provinces. In respect of this, it considers that the financial responsibility will be assumed by the Territorial government, this was five years ago or four years ago. At that time they recognized that we must accept financial responsibility. It must also follow therefore that if we are going to accept financial responsibility that we must also have a share in the administration field too in the field of Justice. So they made a recommendation, one of them among others, one of them about Sr. Legal Counsel, that a Senior Legal Counsel be provided to supervise the administration of Justice in the Territory in close association with the Territorial government. This officer would be responsible to the Attorney-General and he would exercise as far as possible the duties of the Attorney-General, the administration of Justice, including police service. Here we are, in the last year of the five year agreement and still nothing has been done. There are no known terms of reference, as far as my knowledge, we do not supervise those things and this is just one incident. As Councillor Watt pointed out this is kind of a "pay now apply later" plan and it seems to me that we have too many of these so called plans coming out of Ottawa. It sounded good four years ago and nothing has been done. I will repeat that we have not broken faith with the federal government, it is the federal Department of Justice that has broken faith with us. Therefore, I feel that if it takes some shock tactics to jar the Department of Justice, then shock tactics should be taken. To sit here as a Council, as a Legislative body and get all grumpy about this and then turn around and pass it....that would be a very poor move. Somehow we must get it through to the Justice Department that we want control and we want these things implemented. We agreed and they themselves agreed to this. We talk about legislation, it takes years to get legislation. This labour legislation we have been crying for for the last four years still isn't forthcoming. That is why we have a private members Bill respecting it although we spend a lot of time discussing labour in Council. Nothing comes from Ottawa though. It seems to me that our Senior Legal Advisor, who has the duty of giving instructions to the draftsman in Ottawa and also drafting of legislation, just doesn't have the time and when legislation is required to the general benefit of the people of the Territory, we need it now and not three years from now. Today, and consequently the Department of Justice has been unable to keep up with this even though they assured us that we would have these facilities here in Whitehorse. As for the Assistant, we have dwelt long enough on that, this should have been forthcoming two and three years ago and it still isn't here. Unless they do do something we won't have an Assistant for much time to come. There is no provision in this budget for delay, we by firm unanimous decision of Council decreed that we would have legal aid facilities in the Territory and a suggested figure for this legal aid was \$35,000 per year. That should be reflected in

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Mr. Taylor continues.....
this budget. All members agreed to it and it is not here. Now just how far and to what degree is this legislative body respected and its decisions respected in Ottawa. If the very fact it is not here....should have meant that we should have had some reply from Ottawa and that is not forthcoming in respect to this. So, on we go, down the line and we find duplications here, there is no breakdowns and there is no way of determining the incidence of time and it just goes on and on. As far as I feel we would be properly justified in not supporting this budget for this reason and this is why I will vote contrary to it. However, I do feel that one thing should be considered, a certain amount of money should be left in the budget and earmarked for the operation of our own legal needs here in the Territory and that is the office of the Senior Advisory Counsel. For the rest, I would let Ottawa worry about it.

Mr. Thompson: Well, Mr. Chairman, since we received the original figures on the 1966-1967 estimates, where we got two pages, it said that Justice would like better than half a million dollars for their operation and the Financial Advisory Committee went on record as being opposed to accepting this without a little detail. They have come up with a little more detail but it still leaves much to be desired. They do come up with the figures. Now, I am still not too happy, as other members have pointed out, there is much haziness in the overall picture and I think this has been pointed out previously. We see the Department of Justice and in one item we see the government of the Yukon Territory and the next item we see Northern Canada for "Headquarters Administration" amounts. They show 5% as chargeable or expendable to us. In the Air Division they say 10% is chargeable to us and these are very large and unknown quantities as far as I am concerned. I feel that we don't have the necessary detail that is required. I think some provision should be made to cover our own legal department. I would hate to vote against this and then find we have nothing to back up our own legal division. I am wondering, since we have received these further figures regarding this vote, whether the Commissioner may have had some communications with Ottawa in this respect and I am wondering if his presence here could conceivably clarify some of these unresolved problems. So, I respectfully submit, gentlemen, that it might be in order to ask whether the Commissioner could give us some clarifications along these lines?

Mr. Taylor: I am wondering if we need the Commissioner. This might change the whole situation if the Commissioner were to come down here.

Mr. Southam: Are you agreed gentlemen to have Mr. Commissioner down. Mr. Boyd, do you wish to carry on until the Commissioner comes.

Mr. Boyd: I had the same thing in mind, I was getting to the same point. It is getting near the time when we vote on this and if this vote was turned down I would be curious as to what would be the Commissioner's position would be. However, as for the legal aid that Mr. Taylor mentions, I am quite positive that we did get a reply to that in the form of a memo through the summer where Ottawa had indicated "no dice". If not, I take it back.

Mr. Southam: Mr. Thompson, will you take the chair please. I have listened to all your arguments, pros and cons, back and forth, and I think it is pretty well decided what you are going to do. I can't see any reason why we should argue further. I think it is about time we would it up. We will wait and listen to what the Commissioner has to say and then you can have another hour if you wish, but then we will have to put it to a vote. We will let it stand or fall, whatever the case may be. I, personally, if you want to know how I feel, I think you should honour your obligations. You signed a five year agreement. I don't know whether my predecessor signed an agreement or not for my district. If he did, then I will honour his agreement. The other thing that I think about is that you have another five year agreement coming up. This is the time for you to do your business. Don't sign it unless you get strict assurance that they are going to do something for you. This is my opinion of the whole thing. The Commissioner is here now and we are discussing the Justice vote. I think Councillor Thompson, if you would supply the Commissioner with the information that you wish.

Mr. Thompson: Mr. Commissioner I asked that you be brought down to clarify or further clarify the Justice situation. As it stands, we have had the original estimates for sometime and as you know, the Financial Advisory Committee went on record as asking for a little more detail and this has not been provided. We are still a little unhappy about some of the figures and details and we are wondering if you have had any further contact with Ottawa in this regard that would change the picture or give us some idea as to whether some of the previous recommendations of Council are to be considered or whether it is a cut and dried issue as it has been in the past. That, sir, is it in a nutshell.

Commissioner: Well, sir, I have no further information as far as detail is concerned, however, we have for some time known that there is distress in the minds of Council regarding the Justice vote and lack of detail. This was brought up in Ottawa with the Advisory Committee on Finance and it was my understanding, although the Director, or Assistant Director, Mr. Bolger, who was chairing the meeting agreed that probably more detail should be made available. But, the time to spell this out and ask for modifications and alterations and any further detail for any future Justice money being voted by the Territorial Council, should be done at the five year agreement. This is in process now and any change or alteration that has been approved for a five year period, would seem to be wrong at this time. If I recall correctly, and Mr. Bolger agrees, that the gentlemen on Finance agreed that this was the right thing to do. I think at that time Mr. Boyd you made this suggestion, that we should wait until the new five year agreement to make a complaint. If not, it would be causing the Commissioner to break agreements that had been agreed to by Council for this Justice payment. For example, the five year agreement, itself, allows for an amount of money to be paid for the operation of Justice for five years. This was agreed to by Council and then after four submissions of the police agreement it was agreed to be the Territorial Council. So, if it was thrown out, I personally feel it would look bad especially in view of the lengthy discussions the Council have had regarding constitutional changes and the request for more autonomy as a legislative body. I am sure that Ottawa feels that the amount of money is fair and just and in fact is less than the actual cost. The Justice Department

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Commissioner Cameron continues.....
would be very unhappy if you were to throw it out. I have heard discussions on the subject regarding the lack of an additional Legal Advisor and we have been getting the run around in this for five years. Well, if it is a run around or not, we have one Legal Advisor only and the Department of Justice claim that so far they have been unsuccessful. I am doubtful that if rejecting the Justice vote on this basis would be very advantageous. It is certainly a negative approach and I don't think that I could supply any more detail. I doubt that any more detail would be acceptable to Council because...everybody can read detail and they can read into it what they like. They can find a certain detail that they as an individual would like to have is not there. As I pointed out to Council before that in order to find what a policeman's hat badge costs you have to go into the complex of the whole Justice Department for Canada. There is no doubt in my mind that some of these figures listed are arbitrary figures, and even approximations of the costs.

Mr. Thompson: You are correct that one of the larger issues is the lack of our own Territorial Legal Department and any additional assistant. I think you have said that you have been endeavoring to obtain this assistance for some time now and yet you say that you feel this is a negative approach. I am wondering how best we approach this problem and expect to get some consideration for the assistance.

Commissioner: Here again, I think you are opening up a place for this in the next five year agreement...that would be the opening and then it should be cut and dried the displeasure of Council of the lack of a legal advisor and the lack of information to back up the Justice vote and that the Council is completely opposed to carry on in this matter until these situations are cleared up. First, being complete detail and how these figures are arrived at, and secondly, that there be more than one Legal Advisor available for the Yukon Territory. Until this is done.....well this is sort of the bible for the operation of the Yukon Territory for five years. That is the time to dig your heels in and spell out exactly what you want.

Mr. Thompson: My only comments, Mr. Chairman, and correct me if I am wrong, you people keep referring to the next five year agreement, now this is a year away and we have this year to go through. From what I can see the workload is piling up on the present Legal Advisor with no assistance, and I think that the amount of work far exceeds that what they have in the N.W.T. and yet the N.W.T. have many many more members on their legal staff. I am wondering, if we wait for the next five year agreement, it is going to take a year to have it implemented and so we are talking perhaps in terms of two years before anything is done. I agree with you in principle that it is very definite subject for consideration in the five year agreement but I feel that something should be done between now and then.

Commissioner: Mr. Chairman, the subject has been under active consideration for some time and we have been waiting for the last three weeks for a member of the Department of Justice and another member of the Department of Northern Affairs to come to Whitehorse for discussions with Mr. Hughes, Mr. Parker, and different individuals in government here to find out just

Commissioner Cameron continues.....

what the duties involve and whether the position should remain as Justice or whether there should not be Justice here or whether it should be Northern Affairs or all Territorial or one member of Justice and one Territorial. This will all be looked into. What will come out of it I am not prepared to say, but they are concerned about it and as to whether it would happen next year or the year after, I don't know. We have been hoping now for five years and every few months but nothing has come out. I wonder what this would actually have to do with the Justice vote. I believe that if you had twenty Legal Advisors here that the detail wouldn't be more than this under the present set-up, or wouldn't be anymore satisfactory. I am a little leary if you turn down the Justice vote and use this as a back-up for turning it down. It would put me in the position...well the money will have to be paid. To keep the Council in good graces of everyone concerned, especially in the thought for autonomy, it appears to me to be a backward step for them to veto the vote and then for me, as Commissioner, to pay the money out. Vote 13

Mr. Taylor: Mr. Chairman, this thing is almost as broad as it is long and I agree that it is a deplorable situation. When we signed this agreement four years ago the federal government did make certain concessions and when we speak of autonomy, well I agree that...the committee has studied this and they have reviewed this and the developments of the self-government in the Territory and the desirability of extending the responsibility to the Territorial government in those jurisdictions normally assumed by the province and in a sense, they have broken faith with us. They set us up after much struggle with a legal officer, but they didn't give him, here it is in the last years of the agreement, the responsibilities that they were going to give to the Territory. They stated this officer would be responsible to the Attorney-General and would exercise as far as possible the duties of the Attorney-General in the administration of Justice including the police services and so forth. I agree that the situation has changed and basically this was to be given us and it has not been. We have gone through this document and we have found duplications and omissions and things of this nature, some of which, I must admit, have been explained but we are still like a thorn between two evils. The normal requests to Justice just seems to fall on deaf ears and as I stated earlier, it seems that some sort of shock treatment maybe necessary to jar them to know that we just don't want to be ignored. Some of these things that they have agreed to and that we have agreed to have to be implemented and it is a deplorable situation. I don't know how to resolve it but I do agree that some hope does lie in the negotiations of the next five-year agreement. But, as I say, if we commit ourselves for another five years, we will have five years of the same old thing and have nothing to show.

Mr. Shaw: Mr. Chairman, I would like to ask the Commissioner a question in relation to this matter. We are operating as a very large co-operation in the Yukon Territory and we have recently instituted the program where we are going to have a further expenditure of about \$600,000 for operating a minimum-maximum security institution. What I don't understand is why it is not impossible for the administration to say "we have got insufficient help in the Yukon Territory in the legal department, so the Territorial government will put an advertisement in the paper, asking for a bid for solicitors and putting that money in the budget". This seems to be a very elementary way of getting around the problem of legal help.

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Mr. Shaw continues.....

My question would be, what has prevented something like this. It doesn't appear to be money.....we got \$600,000 for this institution and why is it that you yourself, Mr. Commissioner, can't say "we need another helper in this department and we will put the money in the estimates".

Commissioner: That is a very easy question for me to answer. I would like to go back to one point first that Councillor Taylor mentioned regarding the loss of faith in the Department of Justice because of what is written in the five year agreement. I agree that they haven't fulfilled this but I certainly, honestly believe that it is unintentional. It is a situation that has been forced upon us through a period of years and a terrific change in the economy of the country. When the interdepartmental committee sat down and drafted the plan of the five year agreement I am quite sure that they sincerely felt that they could fulfill the statements that they had set down in this agreement. Since then there is a shortage of professional and skilled people all over the country and as a result the Department of Justice have not been successful in obtaining an additional lawyer for us. Possibly Mr. Hughes know, I don't, but I am quite sure that there are three or four or possibly half a dozen openings in the Department of Justice for legal people that they have not been able to fill themselves. Now, if I might come to Councillor Shaw's question, the reason that I couldn't do that is that in order to get the second Legal Advisor we would have to overcome the hurdle that the Department of Justice has not been able to overcome. In other words, we would have to offer a proper salary in comparison to what other lawyers throughout the country are getting. We would then be faced with the situation where we would be paying our Legal Advisor's assistant more than he is getting. Your senior Legal Advisor is not getting enough money, not in comparison to the solicitor's market. He is considerably lower than what is being offered in advertising. The problem is with the Department of Justice and they would like themselves to be able to pay more but, let's face it, we are involved with the hierarchy of government.....it has to go through all the rigamarol of red tape and the hearings and sessions of parliament before they can have an alteration in their salary structure. It is felt that there is no prestige or advantage to the government of the Yukon Territory having a representative of the Department of Justice here, then I would say the answer is that we say to the Department of Justice that we are not interested in having one of your representatives, we will say we are not interested in having one of your representatives, we will have a Territorial Advisor or we will have five advisors, and we would pay them according to what we felt they were worth or what we would have to pay them in order to get the legal aid.

Mr. Shaw: A supplementary question to this. Go further and say that the Territory, under their own authority, we'll forget about the Justice Department or any other department, that we'll put an advertisement in the paper for a legal advisor at a salary commensurate with the responsibility that this person would have to be paid. We would put this advertisement in the paper and we will say that Mr. Hughes, among others, puts in a bid for this job and we will say that he gets the position of Territorial Solicitor or whatever you want to call it. That seems to be very simple and all that seems to be necessary then is for us to say to the Department of Justice

Mr. Shaw continues.....

is that we are short a man up here and we have no representation for the Justice Department. They will be in a bad position and they will be forced to send somebody up here or the Department of Justice administration is not here. I think that would be one way to resolve any particular matter. If, for example, you take the alternative and Mr. Hughes is quite satisfied and wishes to stay with the Justice Department, that is his privilege. He has the choice of staying with them and accepting a low salary or he has the choice of accepting a better salary. That is a personal matter and shouldn't really enter into the facts of this but I think that by so doing we would have Territorial employe under the direct control of the Commissioner and should the whole Justice structure be sitting here without a man, that is what it would appear to me. Vote 13

Commissioner: Mr. Chairman, I can't agree to that. I am afraid that the position would be reversed. We would have a Territorial Legal Advisor and the Department of Justice program would be vacant for the same reason that it is vacant right now. They just don't have the bodies and I think that Mr. Hughes will confirm that and back me up. They just don't have the people. It is not a case of their not wanting to send anybody, they just don't have them and they are not paying enough to get them and they are obviously going to keep saying that we can't get you a Justice man. Another point I should comment on, and I believe it is Mr. Hughes feeling that it should be either/or Department of Justice or Department of Northern Affairs. He feels that there would be an amount of friction and thereby a loss of efficiency by having two departments and the law profession dealing with a situation as we are looking at here, where we are interwoven.

Mr. Legal Advisor: I think in areas where we have R.C.M.P. and provincial police working or overlapping, you either get gaps or they are getting in each other's hair. You have to have somebody in charge. Either make it all Territorial or all Justice or all Northern Affairs. You have to have somebody to get to press the button, who is the person in charge. I don't think it would be good to split forces. I think that Justice is shortstaffed, however, I don't know whether or not they are having trouble meeting their own difficulty. I confirm that the salaries offered are not in keeping with the salaries in other areas. I notice that Scarborough and the District of Toronto are offering \$16,000 to \$19,000 for their legal department to take charge and he is not even the Town Clerk. You are going to have to ask yourself what is more important in the long run.

Mr. Watt: Mr. Chairman, we have all registered different objections here about this Justice vote and most of these have been registered before. Nothing has been done about it at all. We have a five year agreement in which time...and we have a police agreement, which the Territorial government has signed. We approved it and it was because we thought this particular point had been resolved on getting a legal advisor. Ours! was leaving and we thought this vacancy had been filled. This is the only time that we got some satisfaction. It is just too bad that we didn't hold out for one more time and then we would have had this man. I accepted the document in good faith, thinking that another man was on his way up here, that tenders were already called for. They had quite a few applications and said somebody was coming shortly. After that, we had a memo to that fact that none of them was satisfactory. From then on it

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Mr. Watt continues.....
 carried on and on and on. In the police part of the five year agreement we voted an amount of money and we are voting it again this year for another legal advisor and as I explained before, it is just like me buying a cord of wood. I keep paying for it for six months but I don't get it and there must be a time when I withhold paying for that cord of wood. Or withhold until I do get it. This is the way I feel. It is not just the appointment of the extra legal help. How can I face the constituents who go up the road together and they get picked up for the first time on the same offence, going five miles an hour too fast, and they, well, one comes back and says I got a fifty dollar fine and the other starts to laugh and says I got a fifteen dollar fine. I have to explain to them that it just depend who is on the bench. This is hard to explain and I don't think that I have to be a lawyer to believe this. I am a human being living in Whitehorse West and I think it is wrong. I think it has been pretty well uniform for this thing and this particular incident might have happned, well I think it happened. We asked two years ago to set up a system of paying fines for minor traffic offences and they come back with the statement that the Crown Prosecutor doesn't like the idea. Is the Crown Prosecutor making the laws for the Territory? I hear that the Magistrate is not happy. These things are all part of my unsatisfaction with Justice and everyone of us here are unsatisfied. Today Mr. Boyd registered an objection to the paying of lawyers and I think that we are already paying \$35,000. This money could be employed in filling our gap. We could give them \$20,000 and still be ahead. Mr. Thompson is not satisfied with the actual vote of this \$506,000, he wants to know what it is for. Mr. Taylor has some objections which he registered about legal aid and the slowness in the drafting of legislation. I think our objections have been given before and they are all going to go into the wastebasket as before unless we do something. The only thing that we have left to do is hold up this vote. We have a Minister of Justice in Ottawa and if he sees a section of the country who is in fear in losing their policing and justice then he is going to step in or send somebody else. They will come and look at it and say what is wrong here now. If our objections are justified then we will have something done, if not, they will go back to Ottawa and say that we are out on "Cloud Nine". But, I think our objections are justified and we have been over this again and again. As Mr. Commissioner said, it would put him in a bad position. I don't feel as if I am rescinding on an agreement. I will bend over backwards anytime in private life, in business life, and go all the way and co-operate in any way I can. But, this is not co-operation, this is a one-sided story. We are paying and paying and we are not receiving. The greatest thing that we were able to accomplish as far as Justice was concerned and it took us three years to do that, that the prisoners that were picked up were paraded over here for public exhibition. It took us three years to get it at least that they were covered up when they were brought over here until they were proved guilty. Over at the Taku it was a spectacular every morning just to have a line up at coffee break. After that, coffee business fell off badly. But, this is the most Justice we have ever accomplished and I am thankful with these merciful little things that they co-operated on. But, I think that there could at least be a little more co-operation. One point the Commissioner pointed out that was a bad thing to do at this time if we are looking for autonomy.

Mr. Watt.....

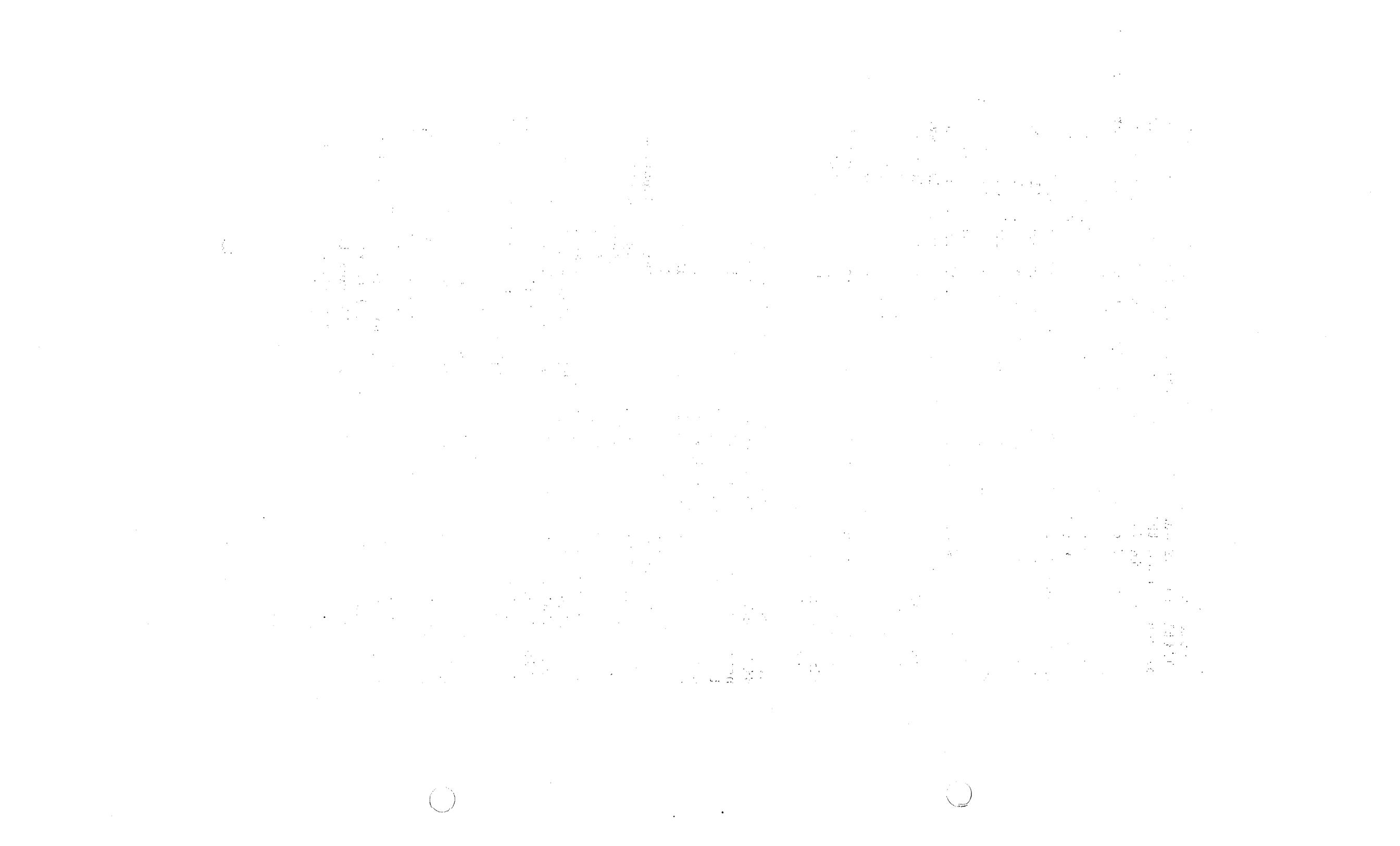
I would say that Mr. Commissioner that if we can't even exercise a little bit of Justice or one little thing can do. We have never refused to pass this Justice vote before and I think this would be something in favour of autonomy. They aren't willing to use a little bit of power and the autonomy that they are asking for something to be done..... I think that this is an argument in favour that we are willing to take the responsibilities given to us. I don't think that Justice will completely fall apart in the Yukon Territory if we refuse this. Somebody has to listen along the line. Justice is a federal responsibility as well as a Territorial responsibility and personally, I think I am doing my duty in not voting for it. It wouldn't be doing what I am paid to be here for. In my mind there has been nothing that I have been given satisfaction on. I think in the next five year agreement we should bring this up, however, in the next five year agreement we will have a new Council and we will have a bunch of green faces and they are going to be new at it and won't stand up like we are now and threaten to withhold the Justice vote. At least not for two or three years. I think you may find a lot of people around here now that you won't see around here again. If past indications are you will get 40% back and so to get the new people a start we should get this fixed up now and I would like to urge that I honestly believe that we should not go along with this.

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Mr. Commissioner: Mr. Chairman, I look at it a little bit differently. One point I would like to make clear is that the next five year agreement will be signed by this Council, not the new Council. The negotiations will be made between now and a year from now. By taking this attitude of voting against it and trying to force an issue I think you go back to a number of years ago when the Territorial Government didn't have a vote and I think it was with the best intentions that the Department of Northern Affairs said, well, we should come up with some sort of agreement that they do in regard to policing as they do in the provinces, and it will give the Council a feeling that they are part of it and an insight into something that is a complicated department and something which will become their responsibility when they become a province. Now, it is not skin off my nose if you turn it down. I won't suffer. Then they will say that they obviously made a mistake, that it is federal money and federal policing. Councillor Watt says they will continue doing this but you put yourself into a very bad light when you come to the next five year agreement as far as bargaining. You will have lost a bit of your leverage and a bit of your prestige and so on. Actually it is the other way around, if you spell it out that you are very concerned about the past few years, that they have not filled their commitment, that we want more detail, and we also want this settled before this agreement is signed. If you turn it down I think that the Department would be very foolish to put it back before the Council, it is between two federal departments so we will just keep it here. That is my feeling on the subject.

Mr. Southam: At this time I will call a recess and we will reconvene at two o'clock.

RECESS



Thursday, May 5, 1966.
2:00 o'clock p.m.

Mr. Southam: I will call the Committee to order, and we will proceed where we left off. We were discussing the Justice Vote. I believe at this time, gentlemen, that we have discussed it quite thoroughly. I believe, speaking as Chairman, that we should put it to the vote and let the chips fall where they may.

VOTE 13

Moved by Councillor Watt, seconded by Councillor MacKinnon, that Establishment 1351 be deleted from the Budget.

EST. 1351
DELETED
MOTION
CARRIED

MOTION CARRIED

The Motion was carried. Councillors Shaw and Boyd were contrary. Councillor Taylor abstained.

Mr. Thompson: Mr. Chairman, I feel that although we have deleted this Vote, I feel, at the same time, that we should make some agreement or provision for our Territorial Legal Department. With this in mind, I would like to introduce a Motion tomorrow morning.

Mr. Taylor: Mr. Chairman, I believe this is somewhat out of order. The Council just agreed to delete the entire Vote and, according to procedures of Council, special dispensation would have to be made in Council in order to make this possible. This was something which should have been considered before the Motion was made.

Mr. Thompson: Well, Mr. Chairman, if special consideration has to be given, I would suggest that we would give this special consideration.

Mr. Watt: Mr. Chairman, I don't see why Mr. Thompson's suggestion couldn't be taken under consideration. We deleted this item, Establishment 1351, and if the Councillor would like to make a Motion in the morning of an opinion...they wish to...we had an opinion this morning of money being provided for something...a Motion for an item for a specific thing could be introduced tomorrow by Mr. Thompson. It doesn't necessarily have to come under this Establishment, Primary 1351.

Mr. Southam: I would suggest, gentlemen, that you take this up in Orders in Council in the morning and let us get on with something else. Are you agreed with this suggestion?

All: Agreed.

Mr. Southam: What is your pleasure now, gentlemen? Will we take up the Motions? I would suggest, speaking from the Chair, that this Motion on autonomy...that we take that up and get it off the books.

Mr. Watt: Mr. Chairman, I would suggest that we go through some of the Bills while we have got the Legal Advisor here. We've got fifteen Bills altogether. I think we could dispense with one, or two, or three, or four, this afternoon, it would certainly help.

Mr. Thompson: Contrary.

Mr. Shaw: Mr. Chairman, I thought we were going to discuss Motion No. 40?

Mr. Southam: I think we agreed on Motion No. 40, Autonomy,

MOTION
#40

Mr. Southam continues:
gentlemen. Do you want me to read it in sections and
act on it as we go?

Agreed.

Mr. Southam: "Motion No. 40, moved by Mr. Taylor, seconded
by Mr. Thompson, Resolved that the Commissioner.....
and National Resources refer Bill C146...."

Mr. Taylor: Question. Mr. Chairman, this should read...
this is a typing error...this should read C147.

Mr. Southam: "refer Bill C147, An Act to Amend.....
now requested of the Minister". Mr. Southam reads (a).

All: Clear.

Mr. Southam: Reads (b).

All: Clear.

Mr. Southam: Reads (c).

Mr. MacKinnon: Mr. Chairman, just a minute here. You are
reading a Motion and you are asking on each individual
subject of a Motion "Clear?". I believe that when you
complete reading this Motion, that it will be approved or
disapproved.

Mr. Southam: Mr. MacKinnon, I brought this in front of
you. I asked you if you agreed if we would read it by
sections and we would discuss it and you agreed to it.

Mr. MacKinnon: I didn't.

Mr. Shaw: Mr. Chairman, would the Legal Advisor please
explain paragraph (viii) of subsection (c) "All residual
executive and administrative functions including industry
and labour controlled or performed by the Federal Govern-
ment"?

Mr. Legal Advisor: Well, it was my understanding, reading
the discussions in Council, that you wanted to have pro-
gressive pick up of the functions. Now, sitting down
trying to draft the things, I felt that almost certainly
I would overlook some function so this is the catch all
provision. I thought of a few such as Forestry and Fishery..
now it could be that I might overlook something. This is
why that is put in, but of course it does...it's quite wide
and it does, ultimately, include resources...land and oil
and minerals and so on because those are functions, residual
functions which the Federal Government does look after at
this time, but I understood that it was Council's ultimate
aim to assume responsibility for those as well so that's why
I have selected that wording.

Mr. Southam: Reads (d).

Mr. Taylor: Question. There is another typing error here.
This should be "provinces".

Mr. Southam: Reads (e), (f), (g), (h) and (i).

All: Clear.

Mr. Southam: It is open for discussion, gentlemen.

Mr. Taylor: Mr. Chairman, as mover of this Motion, I have, MOTION #40 at the outset, very little to say with respect of it. However, I think that all Members will agree that with the acceptance, and I hope unanimous acceptance, of this proposal at this time and with the co-operation of the Federal Government, all levels of Government, in this endeavour, we are making one of the most outstanding and most exciting steps that our Territory has ever attempted to make since its conception so many years ago. The Motion, as it sets out, gives us the first big step. It provides for us, in twelve years, the means of rounding out the framework of Canadian Confederation inasmuch as, all going well, we will be able to take our rightful place in that Confederation, and I feel that this is outstanding. This is a step, I think, that has been desired for many years. I feel that people have been reluctant, possibly through fear of the unknown, to embark upon such a program, and I think it is well to remember that we are not, by essence of this Motion, asking the Federal Government to give us provincehood tomorrow. What we are asking in this Motion is that the Federal Government allow us, and assist us, in taking this first big step forward towards autonomy, provincehood, and that having done this, that we will go through, in the Territory, a period of flowing transition from Territory to Province. It may be that, when implemented, if implemented, the terms of this Motion.. when we have done this, we are going to more than likely make mistakes. Somewhere along the line, we are bound to. However, I feel that through careful negotiation and through cautious wisdom, in applying the terms of this Resolution, that we can, must and will realize that goal of full autonomy. As I say, gentlemen, it is a big step forward, but it is a worthwhile step forward. Another thing I would like to say, and I would like to have this considered by all, both here in the Council Chambers and elsewhere, that this matter rises above partisan politics. There have been some who have said, well, possibly because one political party or member of one political party has suggested a framework upon which we shall build a Province, then we of the opposing beliefs, partisan beliefs, should say "No. We don't want to see anybody get credit for this but our particular party". Now, the importance of this is so clear that we must, in our consideration of this particular motion, rise above political partisanship and rethink in terms of the good we can all do because we are all involved in this...for the Territory, the people of the Territory and for Canada as a whole. The acceptance of this on an unanimity basis is not required, however, I feel that it should properly be. This is the biggest step that any Council of the Yukon Territory has ever made. It's a good step. It's a sound step and it's worthy of much consideration by the Federal Authority and the people of Canada for that matter. I will say no more at this particular moment on this, but I sincerely hope and trust that all members, in sober reflection, will agree with me when I say that this Motion should be given unanimous consent of the Council, if at all possible.

Mr. Shaw: Mr. Chairman, I won't go over what Councillor Taylor has already adequately covered. I would just point out that this is a Motion which, if carried, indicates the feeling of the Members of this Council and, in effect, the people of the Territory, as a request to the Minister of Northern Affairs. The Minister, when this Motion reaches his table, will, no doubt, give it due consideration and I sincerely hope that he will follow along the lines as suggested. The frustrations that we have had, all the Members sitting in the Council, are adequately portrayed to show how things are working at the present time. The discussions that we had this morning, in great length, in

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Mr. Shaw continues: reference to the Department of Justice, is indicative of why we should have a change so that, as I pointed out when I first rose, this is something that the Minister would have to decide on, in his wisdom, as to what action he will take or what suggestions he may have or whatever he may think, but I do feel that it is a tremendous step forward in the political life of the Yukon Territory. It is something that is vitally necessary at this particular time. In conclusion, Mr. Chairman, I would stress that if Council can put forth this Resolution with unanimity, I think that that will have quite some bearing on what the Minister's decision and action might be in respect of this.

Mr. Watt: Mr. Chairman, I can only say that, in my opinion, that the Yukon Territorial Council, after all these high sounding words, cannot take credit for a single word that is put into this Motion. There is not a single word there that was put in by the Territorial Council. It is a document, a Motion, that is a result of a suggestion here to paraphrase or capsulize an address by Mr. Nielsen at the Yukon Northern Resources Conference...his suggestion, and this is exactly what is in here. There has been suggestions made by Members of Council. Not one word has been added from any of these suggestions. Not one word has been deleted, and so the Motion that we are talking about originally emanated from a Brief by the Northwest Territories Council...the Advisory Commission on the Development of Government in the Northwest Territories on February 5. Most of the ideas that were introduced there were embodied on March 23, 24 and 25 by Mr. Nielsen, and this is what we paraphrased. We consider ourselves, in Government, senior to the Northwest Territories, and we have to take their advice on what recommendations we should do to have a government in the future. There had been a Committee set up, which is now no longer...two members on the Committee...and they had done a lot of footwork in Whitehorse here, and they had suggested...many of the suggestions that they got from the people of the Yukon Territory...there wasn't a single word of it added to Mr. Nielsen's suggestions here. I don't consider that the people of the Yukon Territory have had a chance, have had a say, in the type of government that they are going to have in the future. This Motion, in effect, the overall picture of this Motion, is putting us in a position where we are crawling to Ottawa and we are asking them to give us responsibility for eight things. All of them are bills. They are not assets. They are liabilities. Every one of them. Education is nothing but an expense. We have to have it. Resources...Territorial Resources...that's an expense. Public Works is an expense. Justice and Corrections...that's an expense. Revenue and Finance...that's an expense. Forestry...that's not a paying proposition. Fishery...that's not a paying proposition. "All residual executive and administrative functions including industry and labour controlled or performed by the Federal Government"...that's not an asset. That's a liability. We are crawling to Ottawa and asking for another handful of bills to pay. At the same time, we are saying to Ottawa, "You keep all our assets. You keep our mines and minerals. You keep our oil and gas and you keep our water resources". We should not be crawling to Ottawa asking for another handful of bills. We should be walking to Ottawa and standing up straight and looking them in the eye and saying, "We are maintaining sovereignty over 107,000 square miles of Territory for Canada"; and anybody who holds land any place in the world, any place in

Mr. Watt continues:

Canada, or a lot in Whitehorse, you have to pay taxes to hang on to it. It's going to be worth something in the future so we pay that tax and they you develop the property and you make a profit out of the future. A piece of mining land...you go and stake a claim and do your assessment work. You've got to pay for it, and Ottawa realizes that for us to maintain this sovereignty over this 107,000 square miles, they have to pay something too. They realize this and they should, and we don't have to go crawling to Ottawa asking for a little bit more power. We should be going to Ottawa and saying to them, "This power is ours. If you want to keep a little bit of it...this mines and minerals are ours. We have sovereignty, or should have sovereignty, over it now. We are maintaining sovereignty over all your liabilities. We should have it over all the assets in the country too". This, to me, is completely unsatisfactory. We are in a position now that...there are going to be some changes in Government...should be some changes in Government..considerable changes..and I am not... all we are asking for here is to crawl to Ottawa and ask for another handful of liabilities, and I don't think that this Territorial Government should do that, and the people of the Yukon don't want us to do that. I think that you are letting down those that developed the country to begin with, the oldtimers here that pioneered the country and suffered a lot of the hardships that we don't have to suffer now. We are letting them down. We should be looking at this from the other side of the picture entirely. We shouldn't be saying "Ottawa, give us a little bit more than what we already deserve". We should be saying to them, "You fellows are withholding these assets from us. If you want to withhold these assets and maintain sovereignty over this land, what are you entitled to pay for it?" It's on this basis that we should be presenting this. This, to me, has very little significance. It doesn't have anything that the people of the Yukon...there isn't one word that any Councillor here can take credit for. Not one word. Not a single the, or a, or it. Not one word that any Councillor said. I made a suggestion here that Public Works or anything else be put into this. This is something we have just accepted...a suggestion by an individual...a whole new change of Government...after we already voted \$150,000.00 for a survey, an economic and political survey of the Yukon Territory. First of all, we accepted a survey. We voted \$150,000.00 for a survey and now we have overcome that \$150,000.00, the political part of it, saying we accept these suggestions of Mr. Nielsens. Mr. Nielsen is certainly entitled to submit his opinions the same as anybody else here and I thank him for it, and I am not complaining about it, but there is going to be the question in some people's mind.. that is we need a little bit more sovereignty and autonomy. I think that what we are doing here is simply proving that we are not responsibly exercising the autonomy that we already have. This is my opinion. Every Tom, Dick and Harry that comes along....could talk all of us into doing exactly what they want...and this is my opinion of what we are doing here. I think it is going to do more to prove that we are not entitled to, or we are not capable of exercising any more responsibility or autonomy than we have right now. That's my opinion, Mr. Chairman. I regret to say that something was started and something very good could have come out of it and may still come out of it which may be an asset to the Yukon in the future, and it may even become a Province in the near future. I can't accept this. I am willing to compromise or bend, but I can't see why or how the Yukon Territory, anybody here, can leave it up to somebody in Ottawa to say, "Well, you've got jurisdiction over our mines and minerals even though you may be a brand new Minister of Mines down East some place or any place

MOTION #40 Mr. Watt continues:
else. You've got responsibility over all this for us".
We should be able to do some of this ourselves.

Mr. Taylor: Mr. Chairman, I am very, very disappointed to hear that at least one Member, for sure, is not in agreement with this move that we have worked so long towards. It seems to me that there are two considerations. One is the partisanship, the involvement of, I believe, the man who framed this out....the matter of autonomy was Council's idea. The matter of reaching the framework upon which to build this was, of course, our Member of Parliament, and I might say that even disagreeing on partisan basis with him on many occasions, I concur with him on this. I think it is unfortunate that we cannot, as a body, think of this in terms above politics, partisan politics, and this was the hurdle, and the big hurdle, that we, as men, would have to overcome. I just wanted to point out, we are not dealing with 110,000 square miles over which we are sovereign. We are not sovereigns, but the Federal Government is over our Territory which, in effect, contains an area in excess of 207,000 square miles. We speak of the pioneers who built this country and contributed to its development. Those pioneers exercised backbone, strength and wisdom and possessed a keen desire to reach deep into the unknown, in all fields, and displayed this with great talent and with great courage, and when we speak of what the oldtimers would have liked to see us doing today, I would be sure and certain that those oldtimers would like to see us at this stage in history with the heritage that they handed down to us display the very same wisdom and backbone and strength that they displayed. I have given much, much consideration to this Bill, and I would like, if at all possible, to have the Member who is opposed to this Bill... this is his prerogative...to reconsider and to look deeper into matters contained here. We have talked about resources, and it has been pointed out and I think reasonably so by the Minister of the Crown, Mr. Arthur Laing, that the people of Canada, through tax dollars, have placed a great deal of their capital into investment in the Yukon. Consequently, they are just not prepared to hand that over tomorrow and I don't think that we, as citizens of the Yukon, expect that they should. However, it is, of course, agreed that by moving towards provincehood that we should become junior partners in that resource and those resources, and over a period of twelve years, having shown our ability to administer in respect of those resources and legislate in respect of them, or to assist in administration and legislation in respect of resources, that we will then be in a position, by means of a flowing transition, to accept the full responsibility of administration and legislating in respect of those resources. I think the matter has been set out quite clearly when we last discussed this. As I say, again, gentlemen, this is one of the most important steps that the Yukon Territory has ever made, or very likely will ever make again. We may be a little late in getting around to it, but here we are. We are on the threshold of new development. We foresee in things such as water power, and things such as pulp and paper, and other resources, a very very good possibility of establishing in the Yukon Territory a sound economic base upon which we build populations, upon which we build industry, upon which we can develop politically, culturally and otherwise ~~this~~ vast Territory. It is a matter that is not to be taken too lightly. It is a matter that requires very deep and sober consideration, and I certainly have spent a great deal of time on this for many years. I have attempted to somehow see this particular day

Mr. Taylor continues:

when we could stand before Council and stand as a body, a firm body, and say to the Federal Government, "Here we are. We have proved to you that we can handle our affairs as far as we have gone. We want to go a little further". Here it is Centennial Year when we celebrate Canada's birthday, the year 1967, the mighty year in Canadian history, and we can provide to Canada, we could provide for ourselves, a step towards autonomy, and to the Dominion of Canada, it's finest Centennial project and that is another province further rounding out the framework of Confederation. Gentlemen, I implore you to think again and look, and possibly you may see, as I am sure some other Members here see, the wisdom, the boldness and all that this Motion embodies. Gentlemen, we must get out of the Dark Ages and take our place with other Canadians in Confederation. Here is your ticket.

Mr. Shaw: Mr. Chairman, whoever may have been the original author of the principles of this resolution is academic. I have an automobile that I enjoy, and I didn't have any hand whatsoever in making the thing. I am sure I couldn't make one of them up, but I can enjoy the benefits that somebody else has provided. All I have to do is pay for it. I can see where Councillor Watt has a point in the fact that this does not embody where we would take over, at this stage of the game, our Mineral Resources and our Water Resources. At the present moment, I would feel it expedient if we didn't take over the Mineral Resources as such for the simple reason that for the next number of years, there is no question that whoever has charge of this resource effort will, by necessity, will have to expend millions of dollars in order to further exploit them, and we do not have that kind of money here in the Yukon Territory. So, therefore, this particular Motion in that direction. Possibly we can do that at a later date...fifteen, ten, twelve, fifteen, twenty, any number of years. We have remained in this present political stagnant pool, I think we can call it such, of a colony for close on seventy years. We have made no steps whatsoever since that period. Some might say that Council has been enlarged. Well, that is not entirely correct. The Council was much larger when it first got started, but it went down and down and down until it got to five members... I think it was three at one time...went up to five, and now it's up to seven, but as far as the autonomy is concerned, we are in the same boat as we were sixty-five or seventy years ago. This is not complete autonomy or provincehood. It's a step forward. These are very sound proposals..at least I think they are very sound, and though the Member from Whitehorse West does want complete control...in other words, to become a Province, I would like to ask him a question, Mr. Chairman, that if, regardless of whether he may wish more control to provincial status, is there anything in this Resolution that the Member disagrees with...that he can be specific about and say "I don't like any specific part of it"?

Mr. Watt: Yes, I can, Mr. Chairman. I can specifically say that I don't like to take over a whole handful of bills and not take over any of the assets, and I can specifically say that I think the majority of the people in Whitehorse, and I would say possibly the Territory, agree with me, as Mr. Nielsen himself said that the head of the Conservative Party, Mr. Diefenbaker, agreed that...said why didn't we take over mines and resources, and I can also say that the head of the Conservative Party in Whitehorse, the present Conservative Party in Whitehorse, said the same thing to me. He says "Do you think we should take over Mines and Resources?". This, to me, is more important than having fifteen members sitting here doing exactly what we are

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Mr. Watt continues:
 doing now. This is all this Motion entails is, to me...
 Mr. Taylor said it's our ticket to autonomy in '67. This is not a ticket to autonomy...this adding fifteen members to the Territorial Council....adding seven members to the Territorial Council. That's a long way from autonomy. We have no responsibility, no rights, no responsibilities, no anything that is an asset to us, and Mr. Taylor is suggesting that this is partisan politics. This isn't. I represent as many Conservative and Liberals, I think I got as many votes from Conservatives, Liberals and N.D.P.'s and everything else, and I am trying to act on behalf of all of them...their best interest, and I think that anything... we have no responsibility at all over anything we have, unless we have responsibility over Mines and Minerals, particularly Mines and Minerals at this time. Mr. Shaw asked did I object to anything, and yes, I can't vote for the Motion to take over a handful of bills. This is all it is, or, we will look at it another way and say we are just adding seven more members to the Territorial Council to do exactly what they are doing now. It means nothing. Mr. Taylor says it's a ticket to provincial status. It's not. This is a ticket to the opposite direction. This is a ticket...instead of having provincial status...we do have a hope....if the people of the Territory had a chance to express their wishes and I think they will anyway despite this Motion. I think that Ottawa is going to set up a Carruthers type commission and they are going to find out about the wishes of the people here irregardless of what is said in Council because...I don't think this is the wish of the people and I think that if the Councillors went home and talked to the people at home, that they would say the same thing. This pamphlet we were given the other day...the Northern Affairs Natural Resources Committee in the House of Commons, and Mr. Lang said "we have a responsibility to the people who live there..... to develop their resources", and this was up here in the Yukon. He recognizes the responsibilities. He also says "We have committed ourselves to an economic study of the Yukon"....committed themselves to an economic study of the Yukon. We voted \$150,000.00 for that political and economic study. I can't vote for this Motion. This is simply asking for a handful of bills and seven more members to argue over these bills. To me, unless we at least add to this Mines and Minerals...complete responsibility for our own Mines and Minerals...then it's completely unacceptable. I don't see how we could ever develop these resources, which are are main resource, our livelihood, which we are going to depend upon for the growth of the Territory. If the responsibility for the development of this is left in the hands of people down East....our markets here are competitive on world markets...to Eastern Canada. A lot of their markets are competing....a lot of their minerals are competing on the same markets as our own. For example, asbestos is being developed in Clinton Creek. There is only so much asbestos sold in the world every year, and if we leave it to somebody down East to decide "where are we going to add, say, four and a half to seven million for a bridge to develop the next asbestos mine?" It's not going to be in Dawson City. It's going to be where that fellow from down East...that Minister of Mines....and the party, the Federal Government Party, whether Liberals or Conservative...where they can influence three or four million people...not just seventeen thousand, and I think we are in competition with Eastern Canada as far as our Mineral development is concerned and for applying for world markets. I think we are just putting our future into the hands of somebody who is in competition with us. This is why I think this Motion is

Mr. Watt continues:
not acceptable, and we all have our opinions....I know I am in the minority. I don't know if there is anybody else that is going to vote with me on this, but these are my reasons. I am willing to compromise the oil and gas and water, but I certainly...it is completely unacceptable without having the complete jurisdiction over Mines and Resources, Minerals.

Mr. Taylor: Mr. Chairman, I wonder..if to consider this item, I would propose a suggestion that possibly, having concurred or otherwise with subject material of Motion No. 40, that a second Motion be presented with respect to Resources...taking over of Resources which are not included in this Motion at this time. Would this satisfy the Member if this subject of Resources became a subject of a separate Motion?

Mr. Watt: No, Mr. Chairman, it wouldn't. We have got something here and this subject was discussed and it should be part of this. We either vote for it or we vote against it.

Mr. Shaw: Mr. Chairman, I noted the reference to a bridge.. that that was the reason...I don't think we can take over resources at this time. If we needed a million or two million bridge, we haven't the money. Councillor Watt states that all we are doing is taking over the bills. Well, we have the bills now. The difference will be, Mr Chairman, that we will pay our own bills in lieu of the grants that we get from the Federal Government. We must expect substantial grants for quite a number of years, similar to the Five Year Agreement. The difference would be that in this new agreement that we have, for five years, the people of the Yukon Territory would determine where that money was spent on those particular projects. They would get a lump sum for Education, for Public Works, for Justice and so on and then they themselves would manage and determine how that should be done and they would be subject to the will of the people in the Territory. It will be our first step away from...as the Commissioner has so aptly put...steering a horse with reins three thousand miles long. This would be the step in this direction. I won't have anything further to say on this. It does appear that the Member from Whitehorse West cannot see where this can benefit the Yukon Territory and he is prepared to talk against it, and all I can say is that if we do not get this by reason of that, I will know where it came from.

Mr. Taylor: One thing that maybe I could point out that hasn't been considered by those in opposition to Motion No. 40 and that is the fact that if it is finance that is bothering the Members, I think it is well to remember that the Maritime provinces...I should say many of the Maritime provinces...are very heavily subsidized if you think of it in those terms...at least equal to or in excess of what the Yukon Territory is today subsidized. These are products of negotiations with the Federal Government, fiscal arrangements, five year fiscal arrangements, such as we are now undertaking. These are not unsurmountable problems. These are negotiable problems, and when you consider possible

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Mr. Taylor continues:

deficits, you must consider what we have to back up those deficits and we certainly have them in Resources. Rather than saying "You just give us our Resources right now", what we are saying is that in twelve years, if it is accepted, within twelve years, we should have those Resources, and I don't think that is too long a period of time to affect a slow and gradual and wise change of administration of these resources. As we get further into the period, we accept more responsibility. It seems to me that this is logical and I think that when Ottawa receives this Motion, they would give it a great deal of consideration, knowing that we had given thoughts to this. I would think that if we walked up and said, "Well, we want everything. You just plunk it down here", that, naturally, they would throw the whole thing up and we would have achieved nothing. Here we get our foot in the door and we start the ball rolling. I would, as I say again, ask the Member to reconsider their particular position in this regard. I might also point out that it is not a dishonorable thing for someone to change their mind. It's a good show of strength of an individual, and I would leave it at that.

Mr. Southam: At this time, gentlemen, I will call a recess.

Thursday, 3:30 p.m.
May 5, 1966

Mr. Southam: I will call this committee back to order and we will continue. I think you had something to discuss Mr. MacKinnon.

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Mr. MacKinnon: Mr. Chairman, we were talking on autonomy and I believe that it has some good points. I would also like to see us have something to say about resources. But, I do believe that we need some changes here in Council some how or other. I don't know whether this 15 man Council is the answer or not. We might end up with something worse than we have got, working with politics. You might have a couple of fellows like Watt and myself as independents and control the government. Now, I know what a lot of you think about that, but there is some merit, I would say and I believe that the intention of moving towards autonomy in stages is good and they state here after 12 years that we would increase our Council to 21 members. Now, I don't think that we were quite capable of disclosing this at the present time. It might be five years, it might be 12, and it might be 20. But, I think we would be very foolish to have any exact number of years. None of us are too well aware of what is going to happen to the economy of our Yukon. It might get better and it might get worse, much worse. I really don't know what is the best move to make. I think, planning from a year and a half from now, it is something that should have been brought before the people. I have circulated quite a number of these copies to various areas and I have really gotten no favourable replies in regard to this motion. The copies went to both Liberal and Conservative and I did distribute over 50. I think that it is something that the people do have the right to say before it is brought to Council and before it was put into committee. It is a hard decision to make. Some people think that we are crazy, talking about 15 members for so few people. Possibly we are. We have six or seven taxpayers and I don't know how many voters we have all together, it is something like seven thousand and this would be a member for every 500. It is really hard to make a decision on this and I don't like to hold the thing up but I believe that in some way before our next election that this should have been brought before the people and given the people a chance to vote in a member on autonomy basis or vote in a member that was not out for autonomy at this time. I think we would get a true reflection of the people's wishes were we to do this. This motion was sketched and drawn by Mr. Nielsen and I believe that, if I am not right correct me, by Mr. Hughes, our Legal Advisor. Now, this is a very vital step and even though we are elected to carry out the duties of the general public of the Territory I think that this is something a little too much for us and I would honestly like to see this held over and put in abeyance til next fall. Not voted down, but give us a chance at least to bring in petitions if we can't wait for an election and find out just what our people want. That is about all I have got to say.

Mr. Boyd: I think I am going to start off and see if I can explain something to Mr. Watt. My Dad gave me a lot of mules at one time. He always told me too that small boats should never get too far away from home, but he made the mistake of sending me away from home to Winnipeg with the mules to sell. I sold them and I got into a poker game and lost all his money and I turned out to be a very small boat in his mind. That

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Mr. Boyd continues.....
 is the position we could be in. Actually that didn't happen to me but it is a true story of what did happen. The mules went to Chicago and there was more than a load of them. This is where we are today. All we are looking for is the opportunity to progress and I don't think we have to concern ourselves to taking it all now. We have the right when we sign this next five year agreement to allow for everything they want and it is not begging. It is a matter of running the country and after we get ourselves organized, we can display ability. I don't think it is going to be too hard to get the mineral resources and so on under our control. I don't think it is going to be difficult at all. But I do think that we do have to show that we can handle that money and not lose it or give it away by making bad deals and so on. So, if we don't do this and take the opportunity of taking this now we are going to shut the gate as I see it until after the next five year agreement expires because we have to arrange our finances in this period of time. We must arrange them now between now and next year. We look at this and ask ourselves, can we afford to wait with the present indications of a Yukon busting wide open at the seams mineralwise and so on. Certainly, we are going to have mines, there is no doubt about this. We are going to have big business, bigger than ever before, and it seems to me that if a mining company wishes to build something they should be able to come to someone for a yes or no answer. It should be in the Yukon and not in Ottawa. Now, this five man administrative deal--well a fifteen member Council with five cabinet ministers, they are going to be the ones to answer as they have been elected. Commissioner Cameron can't say it as he has to go to Ottawa first. There is a lot of strength in this bill. I don't care where it comes from, I can't prepare one that is any better or as good so I will go along with this one.

Mr. Southam: Mr. Watt, did you want to say something there.

Mr. Watt: Mr. Boyd started out by saying that he sold a load of mules and got in a poker game and lost the mules. If he thinks the Territorial Council isn't responsible enough to look after the money that we would get and we would have the responsibility over mines and minerals, I can't speak for Mr. Boyd, but I have never lost a load of mules. I think that the Territory should have the responsibility and they shouldn't have to go to Ottawa to someone 4000 miles away to find out what they can do in regards to minerals, for example. This authority should be right here and if this means more importance than having 15 members sitting around arguing about responsibility that we have, the minor responsibilities that we are begging for now, well anything less to me is nothing. It is not even worth sending to Ottawa.

Mr. Taylor: I wanted to inject something about this at this point on this resources aspect. I think it was envisioned and pointed out a short time ago when we discussed this that anything over the responsibilities as outlined in Motion 40 this would leave 15% of administrative personnel, this would reduce personnel and leave everything in Territorial control, as far as land administration as far as resources go, these would be brought to Whitehorse and nothing would be left in Ottawa in respect to northern administration but the Minister and the Deputy Minister. And, these resources would be then

Mr. Taylor continues.....
 administrated by the Territorial government until such a time as they are entirely turned over to the Territory. And it was clearly understood that we would have a part of these resources. This may clear some of our thinking.

MOTION #40

Mr. MacKinnon: Yes, Mr. Chairman, I would like to ask a question to Mr. Shaw, seeing he is the oldest member in Council and I would like to ask him, what happened to our large Yukon Council that we had years ago. What was the reason for diminishing it? Was there any particular reason or how did we get down from fifteen members back to three. What was the purpose of this and did the population have anything to do with this?

Mr. Shaw: Well Mr. Chairman, I would put it this way. When there were fifteen members on Council there was about 30,000 people in the Territory and they were all situated in the Klondike area and as the large gold veins ran out the population left and the population of Whitehorse was about 300 people. The population in Dawson City was 1500. Now, there was no Carmacks-Kluane and there was no Watson Lake and in fact, there was no Alaska Highway. As a result, the population went down to 1500, I use that as a yardstick, in Dawson and 300 in Whitehorse, and then the Council was reduced progressively as the population went down. When I first came there were three members on the Council. Then the population increased so two members were added and then two more until there were seven. The colonial type government remained regardless of the members. Even if you had 50 members or even if you had two you had exactly the same type of autonomy. This matter of increasing them is so that we can administer our own affairs instead of having to ask Ottawa and I am sure Mr. Chairman, that the gentlemen understand the discussions that went on yesterday morning, and today. We are purely concerned with the fact that we couldn't even get a Legal Advisor, whatever the reasons are, we haven't got one and we should be endeavoring to get more help, this has been going on for four years at the very least. That is the point, that is what we have to resolve this afternoon. Now, gentlemen, here is the vehicle where we are asking the government to give us that power to decide and whether we get it or whether the Minister will agree or whether parliament will agree, here is the question I can't answer but here we are asking for more control of our own affairs. It is plain and simple--we can say we don't like this and we don't like that. But, we must look at this, do we want autonomy or don't we and the passage of this motion will indicate the feelings of the representatives of this country or are we prepared to allow the government to treat us as a colonial enterprise which they have done for 60 or 70 years. I have been here for a number of years, I don't know whether I am the oldest member, I might have been here longer. I have seen this continued frustration and I would say that unless the people can take their own affairs into their own hands and control their own destiny, I would say or foresee that in the future we won't know where we are going. The longer I sit here the more frustrated I become with this government here right now in this form.

Mr. Southam: Mr. Thompson will you take the chair. I have listened to all the expoundings and I do know that it seems that we are a bunch of frustrated politicians. Where are we going and what have we done? No where and nothing. It appears to me that it is about time we did something and I agree with Mr. Shaw that this is our time. It is no use in saying that the population is too small, if I remember my history rightly Manitoba only had 12,000 people and I think it was 21 or 26 members for their house and it was heavily subsidized and I

MOTION #40

Mr. Southam continues.....
 think it still is today. I do know that Nova Scotia is and P.E.I. is and also Newfoundland and I think that they are all more heavily subsidized than the Yukon. Now, these people, have their natural resources it is true but I would say that on the whole, it would be a good thing to have a transition period whereby we could work our way into the running of the government as a whole. It takes some time for anyone to run things the way they should be run. You take Education for instance, that is one of our biggest problems and it will take a good man and a Solomon at the same time to run it. This is my opinion. When I was home at that short recess I told the people that my opinion was that this government should change and it is time that you got out and stood on your own legs and had a little bit of say. I also told them that I was going to vote for it if I had the chance and they said that is why we are electing you.don't come back here and tell us what you are going to do, that is what we elected you for and I don't think that you have to have a plebiscite for ever little issue. I don't think you have to shout all over and ask everyone what they want. This is what you are elected for and if you cannot take that responsibility then you should not be in this House. That is my opinion. Now, I will stand or fall on whatever happens here. I am going to vote for it and if the people don't like it they can toss me out. I did intend to retire next year but if this comes into being I might change my mind and I have been asked to represent the Elsa district of the Yukon. I am sure that when this is divided up there is going to be one from Elsa and one from Elsa-Calumet area. If it isn't then there is going to be Hell popping. However, these are my sentiments, I see no reason we can't work our way into this thing. Natural resources bring in a lot of tax money but at the present time I don't think that it is going to bring in enough to run this government as a whole. With that, gentlemen I think I will sit down.

Mr. Boyd: Question on the motion.

Mr. MacKinnon: Mr. Chairman, I would like to clarify one point. I didn't mean that Mr. Shaw was old. He doesn't even act old, I wanted to say that Mr. Shaw was the oldest representative at the table.

Mr. Shaw: Thank you.

Mr. Thompson: The remarks this afternoon have been most enlightening and I, as seconder of the motion, naturally support the contents therein. I think that Mr. Southam's eloquence is outstanding and direct and to the point. There has been reference made to the fact that this is the right step, that this is a sound step and that this is a step in the right forward direction. This I would concur, I think it is a step in the right direction and at the right time. I think the predominant feature is that the Bill that is in the House to amend the Yukon Act is open for suggestions and discussion and I feel by tackling this that this will give us the opportunity for representatives of this Council to appear before the standing committee of Northern Affairs and National Resources to present our views. With this, I sincerely hope that we do receive the whole support of Council.

Mr. Boyd: Question on the motion.

Mr. Taylor: Just before the question is called, I would like to say that once again this is a step forward for the Yukon and is an exciting challenge for the Yukon. In the interest of solidarity I would ask for unanimity on this vote.

Mr. Southam: Are you ready for the question on the motion gentlemen? Mr. MacKinnon did you want to say something? MOTION #40

Mr. MacKinnon: Yes, Mr. Chairman, due to the circumstances that I have outlined that the people in my district do not seem in favour....the ones I have contacted, do not seem in particular favour. I will have to abstain.

Mr. Southam: Are you ready for the question gentlemen? Are you agreed with the motion? Contrary?

Mr. Watt: Contrary.

Mr. Southam: This motion is carried.

MOTION #40
CARRIED

Mr. Southam: Gentlemen, at this time I will call a short recess.

RECESS

SECRET

1. The purpose of this document is to provide information regarding the activities of the [redacted] in the [redacted] area.

2. The [redacted] has been identified as a [redacted] organization. It is believed that the [redacted] is engaged in [redacted] activities. The [redacted] has been observed in [redacted] areas, and it is believed that the [redacted] is engaged in [redacted] activities. The [redacted] has been observed in [redacted] areas, and it is believed that the [redacted] is engaged in [redacted] activities.

3. The [redacted] has been identified as a [redacted] organization. It is believed that the [redacted] is engaged in [redacted] activities. The [redacted] has been observed in [redacted] areas, and it is believed that the [redacted] is engaged in [redacted] activities.

Thursday, 4:00 p.m.
May 5, 1966

Mr. Southam: I will call the committee back to order and what is your pleasure gentlemen?

Mr. Boyd: We could proceed with the Bills that Mr. Watt wished to go through and it shouldn't take too many minutes.

Mr. Taylor: Mr. Chairman, I wonder while we are on Bills we could possibly conclude the Municipal Ordinance and get on with that.

Mr. Boyd: That is a long drawn out affair and we could do something between now and four thirty.

Mr. Shaw: I would suggest Mr. Chairman that you take out the Bill you want and we will go along with it.

Mr. Boyd: I suggest Bill #14 and Bill #15.

Mr. Thompson: Ken McKinnon is back in our midst and before we proceed I would like to mention it. He is in our gallery and I would like to welcome him back to our midst even if he is only a short-time visitor and it is with pleasure that I see him in the gallery and I would like to just go on record as saying that it is nice to see him and if he would like to come back we would like to have him.

Mr. Watt: I suggest that we offer him a seat!

Mr. Southam: Bill #13, gentlemen.

BILL #13

Mr. Taylor: This Bill follows in line with the discussions held earlier and the deficiency which has been outlined in the Companies Ordinance in relation to enforcement. I might say that I have considered this subject with the industry just to make sure that they were aware of this change and they wholeheartedly agreed with this proposal. We have discussed this at some length prior to this.

Mr. Watt: I thought this was pretty well standard and I thought it was pretty well standard in our Companies Act. Am I wrong in this Mr. Legal Advisor. I thought this was a standard procedure all over and I think the idea behind it is good but I wonder why this didn't come from the administration or have we already got it and who drafted this private member's Bill?

Mr. Legal Advisor: Mr. Chairman, as Legal Advisor, I prepared the draft for the member from Watson Lake. The view had been formed during discussion on the Securities Ordinance that there was a weakness in in policing our Companies Ordinance on this point. It is possible to deal with offenders under the Companies Ordinance without resort to this but this means you have to go a long way around and beat them over the head for reasons which are contrived where here you have a cleaning statement of policy and here is a section that a person can turn to and say, well, if I do that I know what is going to happen, not get caught or tripped by the ankles under some other section. It is true that we can punish offenders under some other sections but the feeling was that a clear statement should be introduced, that was my understanding and I took my instructions from the member.

BILL #13

Mr. Watt: Mr. Chairman, I was under the impression where a private company, this Bill says "has more than 50 members, exclusive of persons who are in the employment of the company". This is not a private company, if it isn't you just can't have the situation, otherwise, there are violations under the status which are set up. You say we have already got it so we are writing it in twice. Secondly, "offers an invitation to the public to subscribe for any shares or debenture of the company". Well I understand that this is normally standard and we have already got it and I don't know what the penalties are that are listed already. Does this change the penalties that are already alleged for these violations? Does anybody know anything there? In the new Ordinance or what is the penalty under the old Ordinance.

Mr. Legal Advisor: Mr. Chairman, the member has already said that this provision already exists. If he will direct my attention to it I will review the advice that I tendered to committee. If it is there then I can't find it and I apologize when it shows.

Mr. Watt: 130 (B) - Private Companies: "limits the number of its members, exclusive of persons who are in the employment of the company, to fifty. That is the first part of it, right? Am I interpreting that right? Then (C)"prohibits any invitation to the public to subscribe for any shares or debentures of the company." Can you tell me the difference between the two?

Mr. Legal Advisor: Mr. Chairman, that is only a definition.

Mr. Shaw: From what I can get out of this, it says you must limit this and you mustn't do this. This section says that if you do it then that is what is going to happen.

Mr. Southam: Are you clear?

Mr. Watt: To me we are passing an Ordinance that already is in effect almost word for word. The other part that I am not clear is that under the old Companies Ordinance what is the penalty there. I can't find it yet. Has there been a change there? If there is, I would like to know.

Mr. Legal Advisor: Mr. Chairman, this provision as such, this penalty clause doesn't exist in the present Ordinance. I have pointed out it is possible to hound and chase down an offender as I would simply take the position that he had directly or the company had divested itself as a private company. If it was then proceeding to sell and invite subscriptions from the public it would be in breach of the requirements of filing a prospectus which is section 95, I think. And it would not therefore obtain a business clearance under section 96 and the penalty, at the bottom of the left hand page, I think is \$250. I am not too sure. Page 96. But this is the long way around and it is so much clearer and clearer to pop it right in there where people can see it and see what is going to happen if they cease to operate as a private company.

Mr. Taylor: This is so straightforward, section 130 states what a company is and shall be and section 130 subsection 4 which is the amendment states what will happen to you if you violate the section 130.

Mr. Legal Advisor: Mr. Chairman, section 95 states "a company shall not commence any business or exercise any borrowing

Mr. Legal Advisor continues..... powers unless.." and then it says they have to qualify themselves there and then they go to 95 (5) "Where a company commences business or exercises borrowing powers in contravention of this section....."and then at the top you will see section 96 and nothing in this refers to a private company but if the company ceases to be a private company this applies. It is rather a tricky way and the penalty is \$250 a day. BILL #13

Mr. Boyd: I feel this is quite clear cut and it is not imposing anything on anybody. I would move that this Bill be passed out of committee without amendment.

Mr. Shaw: I second it.

Mr. Watt: Mr. Chairman just speaking on the motion, this is a private member's bill. It seems to me that we have had this in effect for years and the Legal Advisor has suggested that it is in effect but this would make it a bit easier this way. The private companies that have been set up in the Territory have always been restricted, as being restricted there. Why didn't this thing come from administration. Has there been a case that made this arise or is there someone you think you can get at this way where you can't the other way. I can't understand it. I just can't understand why the administration aren't making these Bills, and why not introduce them and say why. This I can't understand, to me there is something tricky here as this has been in effect for years and shouldn't be put in effect again.

Mr. MacKinnon: I would like to ask Mr. Taylor why this private member's bill. Has he run into any cases of this nature?

Mr. Taylor: Well Mr. Chairman, it is just inconceivable that this discussion could take all this time. It was discussed in Council at great length several weeks ago and it was shown that there wasn't any quality within our own Ordinance with respect to a home grown company and in respect to no direct penalty. So this merely places the penalty in a straight forward manner into the section it refers. If anyone should violate their own charter they would be charged to pay.

Mr. Southam: Any further discussions gentlemen. I have a motion before the House moved by Councillor Boyd and seconded by Councillor Shaw that Bill #13 be moved out of committee without amendment. Are you ready for the question? Are you agreed? Contrary?

MOTION CARRIED

MOTION
CARRIED
BILL #13

Mr. Watt: I abstain.

Mr. MacKinnon: I abstain from this too on the basis that there is a little bit too much of this stuff. I think that from now on this bill should come from administration and not from Councillor Taylor.

Mr. Southam: Bill #9, which reads as follows.....

BILL #9

Mr. Taylor: The amendment comes into section 9 of the Bill and possibly we could review that.

Mr. Southam: Are you agreed gentlemen?

Mr. Shaw: I have a notation here and I would direct this to the Legal Advisor. In lieu of what we had it is agreed that we should take the reading as it provides in the British Columbia Securities Act. Is that correct sir.

BILL #9 Mr. Legal Advisor: That is right Mr. Chairman, I have done my best to follow the wording of that and certainly the penalties are the ones found in the B.C. Act.

Mr. Taylor: I would move that Bill #9 be moved out of committee as amended.

Mr. Boyd: I second it.

Mr. Southam: Moved by Councillor Taylor and seconded by Councillor Boyd that Bill #9 be moved out of committee as amended.

Mr. Watt: Mr. Chairman, I will vote for this but I just want it understood that I am accepting Mr. Collin's interpretation of a private company filing a prospectus and not the other suggestion. I have asked that the word public company be amended to Territorial public companies only file a prospectus. It is already stated that private companies file a prospectus. There is other remedies that will be taken into.....Mr. Collins is the Crown Prosecutor and he has taken action in these cases and I would take his word for it. Some of the members here don't know that a public company and a private company are two entirely different things. They don't even look the same and it is difficult to tell you now after two days of talk. So, with this in mind I will vote for it in that I accept Mr. Collins interpretation.

BILL #9 MOTION Mr. Southam: Are you ready for the question. Contrary? Agreed? Bill #9 is moved out of committee. Motion carried.

CARRIED Mr. Southam: The next is Bill #15 gentlemen. Sewage Disposal for Dawson City.

BILL #15 Mr. Boyd: The Councillor from Dawson City could supply us with the information in a few words what we are buying.

Mr. Shaw: I could put it in two words, sewage system. In 1952 or 1951 the Territorial owned system was turned over to the City of Dawson. Now it is a case of where Dawson is turning it over to the Territory. I will read a letter which was sent to the Mayor which will be self-explanatory. This is from the Commissioner to the Mayor, Mayor Mellor. "Dear Mayor Mellor: I am now able to confirm the proposals for the continuation of public utility services in Dawson City as outlined in the letter from the Chairman of the Northern Canada Power Commission dated November 8th, 1965. A copy of this letter was forwarded to your office on November 12th, 1965. The Northern Canada Power Commission on behalf of the Federal and Territorial Governments proposes to purchase usable assets from the Dawson Electric Light and Power Co. Ltd. and renovate the electrical distribution system. Diesel motors will be installed for the generation of electricity to supply Dawson City rather than obtaining it from Hydro Sources. It is intended that the Northern Canada Power Commission will acquire Yukon Consolidated Gold Corporation's assets in respect of the water system and reconstruct and renew the system which will then be transferred to the Territorial Government. In order to operate Public Utility Services in Dawson City in the most economical manner possible it is considered advisable to have all services operated by one agency. The Territorial Government intends to have the Northern Canada Power Commission operate the water distribution system together with their electrical distribution system. It is necessary that the sewage disposal system be

Mr. Shaw continues.....
considered as a public utility to be operated together with
the water and electrical distribution systems. The best way
to accomplish this is for the Territorial Government to assume
ownership and responsibility for this system. It can then be
included in the agreement between the Commissioner and the Northern Canada Power Commission whereby the Northern Canada Power Commission would operate and maintain the sewerage and water services. A By-Law should be passed by the Dawson City Council authorizing the Mayor of the City of Dawson to enter into an agreement transferring the ownership of the sewerage system to the Territorial Government." BILL #15

Mr. Southam: At this time gentlemen I will call a short recess.

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Thursday, May 5, 1966.
4:30 o'clock p.m.

Mr. Southam: I will now call the Committee back to order. BILL #15

Mr. Shaw: Mr. Chairman, the Northern Canada Power Corporation will be operating the electrical and water distribution system, and it is felt that the most economical manner to affect the maintenance and operation of the sewage system would be that they take over the operation of it. Of course, in order that they take the operation of this over, there has to be agreements entered into and it would require an Ordinance to enter into the agreements. I think that's substantially the meat of this particular Bill. However, if any Member has a question, any specific question, I will do my best to answer them.

Mr. Taylor: Mr. Chairman, I think the matter seems to be straight forward. I think it's a sensible approach to an age old problem with utilities in Dawson, and I am completely satisfied with this Bill. I would like to move that Bill No. 15 be reported out of Committee without amendment.

Mr. Legal Advisor: Mr. Chairman, in the explanatory notes you will remember that it was indicated that a more detailed description would be coming down. We have been waiting for a map of the City with the sewage layout marked on it so that we could get a fuller description. That is why you have that note in the Explanatory Note. However, it does well enough, in its present form, if you are satisfied with it...you all know what the intention is. It was just that I hoped to have a more detailed description for you.

Mr. MacKinnon: Mr. Chairman, I will second the Motion.

Moved by Councillor Taylor, seconded by Councillor MacKinnon, that Bill No. 15 be moved out of Committee without amendment.

MOTION CARRIED

BILL #15
MOVED OUT OF
COMMITTEE
WITHOUT
AMENDMENT
MOTION
CARRIED

Mr. Southam: I will call a short recess while we decide what to do next.

Mr. Southam: Gentlemen, I will call the Committee to order. We will discuss Bill No. 11, An Ordinance to Amend the Yukon Housing Ordinance. (Reads the Bill).

BILL #11

Mr. Shaw: Mr. Chairman, I think, I will ask the Legal Advisor to corroborate this, but I think this is merely where the Central Mortgage and Housing rate fluctuates and this is to keep it in line. It seems to go up or down each year and each year we have an Ordinance something like this, or every other year. Is this all this is...it's just to keep in line with the Central Mortgage and Housing Rate?

Mr. Legal Advisor: Well, to keep in step...there is a difference of one percent. That's the policy line that was set years before. You have already had before you Bill No. 7 where the interest rate was adjusted on the other housing money, and I believe that that has received your approval. We should have kept them together. We omitted to do so. We changed the rate on one and forgot about the other, to bring them back into line again, and they want to send off the standard rate.

BILL #11
MOVED OUT
OF COMMI-
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MENT
MOTION
CARRIED

Moved by Councillor Shaw, seconded by Councillor Taylor, that Bill No. 11, An Ordinance to Amend the Yukon Housing Ordinance, be moved out of Committee without Amendment.

MOTION CARRIED

Mr. Southam: What is your pleasure now, gentlemen?

Moved by Councillor Thompson, seconded by Councillor MacKinnon, that the Speaker do now resume the Chair and hear the Report of the Chairman of Committees.

MOTION
CARRIED

MOTION CARRIED

Mr. Speaker: I will now call this Council to order and hear the Report of the Chairman of Committees.

REPORT OF
CHAIRMAN
OF
COMMITTEES

Mr. Southam: Mr. Speaker, Council convened in Committee of the Whole at 10:30 a.m. to discuss Bills, Sessional Papers, Motions, etc. We discussed Bill No. 4 with the Commissioner. We reconvened at 2:00 P.M. and discussed Vote No. 13. It was moved by Councillor Watt, seconded by Councillor MacKinnon, that the Establishments No. 1351 be deleted from the Budget. This Motion was carried. Motion No. 40 was passed. Moved by Councillor Boyd, seconded by Councillor Shaw, that Bill No. 13 be moved out of Committee without Amendment. This was also carried. Moved by Councillor Taylor, seconded by Councillor MacKinnon, that Bill No. 15 be reported out of Committee without Amendment. This also was carried. Moved by Councillor Taylor and seconded by Councillor Boyd, that Bill No. 9 be reported out of Committee as Amended. Motion carried. Moved by Councillor Shaw, seconded by Councillor Taylor, that Bill No. 11 be reported out of Committee without Amendment. This was also carried. This is all I have, Mr. Speaker.

All: Agreed.

Mr. Speaker: We have the matter of the agenda for tomorrow. What is your pleasure?

Mr. Taylor: Mr. Speaker, I would suggest that tomorrow we proceed with Bills. We have a few ahead of us as yet. We have more or less concluded the initial discussion on the Budget and I imagine the balance of it can be picked up in review. I feel that we should get back on the Municipal Ordinance, and if there is any requirement for the City of Whitehorse to be here for this Tax Section, then arrangements should be made accordingly.

Mr. Watt: Mr. Speaker, I agree with Mr. Taylor, and as that particular part of the Municipal Ordinance is of primary importance in the Whitehorse area, I suggest that those who were in attendance before be contacted and allowed to attend if they so wish because I would hate to have all the responsibility on my shoulders of making Amendments to the Municipal Ordinance and having inadvertently overlooked a section that may cause a whole new assessment in the Whitehorse area. I feel that it is important.

All: Agreed.

Mr. Speaker: Will you, Mr. Clerk, please notify these gentlemen and lady...the Mayor, I should say, of the City of Whitehorse, and state that we will be discussing this particular matter of the Municipal Ordinance at 10:30 tomorrow approximately? Shall we proceed from there with Bills, Memoranda, Motions and Sessional Papers, as usual?

All: Agreed.

Mr. Speaker: What is your pleasure now, gentlemen?

Moved by Councillor Southam that it be called five o'clock.

MOTION CARRIED

MOTION
CARRIED

Mr. Speaker: The Motion is carried and this Council stands adjourned until tomorrow morning at ten o'clock.



Friday, 10:00 a.m.
May 6, 1966

Mr. Speaker read the daily prayer and Council was called to order.

Mr. Speaker: Is there a quorum Mr. Clerk?

Mr. Clerk: Yes, Mr. Speaker.

Mr. Speaker: Is there any correspondence? If not, have we any reports of committees? We have no Bills to introduce. Have we any notices of motion and resolution?

CORRESPONDENC
BILLS
NOTICE OF
MOTIONS &
RESOLUTION

Mr. Taylor: I have one notice of motion this morning respecting motor vehicle licences.

Mr. Speaker: Thank you Mr. Taylor. Have we any further notices of motion or resolution this morning. If not, we will proceed to the next item, have we any notice of motion for the production of papers? If not, we will proceed to motions and we have Mr. Watt's planning committee but I don't think he is prepared to discuss this at this time. Next we have Motion #46, Re. Game Department Development. Mr. Taylor.

PRODUCTION
PAPERS
MOTIONS

Mr. Taylor: Moved by myself and seconded by Mr. Southam, "That it is the opinion of Council that immediate steps be taken to ensure that provision be made in the forthcoming Five Year Agreement, for the following:

- a. one Territorial-employed biologist
- b. one Fisheries Officer
- c. Three Conservation Officers
- d. one clerk-typist

MOTION #46

and

It is further resolved that such personnel increase be effected in the first year of the Five Year Agreement, and that sufficient funds be provided to ensure not only the continued development of this department, but to make possible a complete Game Inventory in the Yukon Territory." May I proceed.

Mr. Speaker: Proceed Mr. Taylor.

Mr. Taylor: This motion falls in line with the discussions held with the Game Department at this Session and I feel that it is self-explanatory. I have taken this matter up at some length with the Game Director and he has concurred with the material embodied in this motion and I would ask for the support of Council to ensure that we get this Department on the road.

Mr. Speaker: Have we any further discussion on Motion #46?

Mr. Southam: Mr. Speaker, as seconder of the motion, I wholeheartedly concur with this motion. It is long overdue that this department be enlarged so that we can take a more proper study of the Territory's wildlife, etc. and keep it under better control.

Mr. Speaker: Are you ready for the question? Are you agreed? Contrary. The motion is carried.

MOTION
CARRIED

Mr. Speaker: The next motion is Motion #47. Mr. MacKinnon.

MOTION #47

Mr. MacKinnon: Moved by myself and seconded by Mr. Watt with regard to "Air Strip". May I proceed?

Mr. Speaker: Proceed Mr. MacKinnon.

MOTION #47

Mr. MacKinnon: "It is respectfully requested that the Administration consider extending and upgrading the Territorial air strip at Beaver Creek, Y.T., and also the air strip for Haines Junction". As you are aware, we have quite a change in our air system in the North highway. We are constructing a new airport at Burwash and will be closing down Snag and Aishihik. They have already started work on an airstrip at 1202, Beaver Creek, which is going to be very necessary. It is quite a distance from Burwash to Beaver Creek. This air strip is in bad need of work and has just been started. It is only half the length it should be and it does need gravelling and extending. The Haines Junction Air Strip just needs a bit of attention.

Mr. Boyd: Mr. Speaker, may I ask, we understand that this Beaver Creek air strip has just been started and is just being built. Who is building it, is it the Territorial government or the Department of Public Works?

Mr. MacKinnon: It started off as private enterprise and since that time has been taken over by the Territorial government and further work is badly needed.

Mr. Speaker: Does that answer your question Mr. Boyd?

Mr. Boyd: Yes, Mr. Speaker.

MOTION
CARRIED

MOTION #48

Mr. Speaker: Have we any further discussions on Motion #47? Are you ready for the question? Are you agreed with the motion? Contrary? The motion is carried. The next motion on the agenda is Motion #48 and a question was raised as to whether this was in order or otherwise. I have given it considerable thought and tried to look at it as objectively as possible and came to the conclusion that the motion is in order for discussion and that it does not conflict and is not substantially the same as Motion #38. Motion #38 was headed "National Parks" and was to establish a core-type national park. The Territorial park aspect was ancillary to the motion and not substandard. In so arriving at this conclusion it was necessary to consider the second part of the motion, the resolution and not the preamble. Therefore that second part is the resolution. Now, that is the decision that I have come too...that the Motion #48 by Mr. Watt is in order at this time. I would say that this decision can be appealed if the members so wish.

Mr. Taylor: I wonder if we could have the motion presented at this time.

Mr. Speaker: The motion reads as follows, "That the Administration immediately take steps to establish a Territorial Park in the Yukon." Would you proceed Mr. Watt.

Mr. Watt: Motion #48, moved by myself and seconded by Mr. Boyd, "That the Administration immediately take steps to establish a Territorial Park in the Yukon." May I proceed? As we have had discussions here on the core type national park with the Territorial park around it and I voted against that and so did Mr. Boyd. The fact that we are in favour of a different type of park shows under different circumstances shows that we are talking about two different animals entirely. The fact that we are interested in a different type of park in different circumstances shows that we are talking about two different things entirely. When this immediate motion had been before Council I had intended at that time to submit an amendment to the motion but the committee agreed that that would change the entire motion. So I understood at that time that the committee agreed that another motion such as this was in order and I think your decision in respect to this is very

Mr. Watt continues.....

correct Mr. Speaker because it substantially a different type of story all together and those who, well Mr. Boyd and I both rejected the core type park....but we are in favour of this type of park. We spent two and a half days here on national parks and I agreed to have this gentleman, Mr. Brooks, come from Ottawa to discuss national parks because I thought there may have been a change in the thinking of the National Parks board. And, Mr. Thompson has recently come back from Ottawa and I thought that possibly there had been some changes that I hadn't heard about. It appears that there haven't been any changes so I think that I would like to see Council support this motion so that administration can take steps to establish a national park in the Yukon and I am certain that the administration will be in consultation with Ottawa, this is where the money will eventually come from, the same original source that the money from the national parks money would come from. The money is coming from the same source and we will pick the recommendations of Council and then they will come from the same source even if we are a Territorial park instead of a national park. The Territory, the Commissioner, and the Council would have a lot of control over the stipulations and everything else that is imposed on by mining, forestry and everything else. To salvage something out of our discussions, I don't see how any one who had been in favour could vote against this. This is everything they wanted but it is a pretty good step. Of the people I represent, I think that 80% of them would be in favour of establishing a Territorial park where we would likely not see more than 2% in favour of a national park.

MOTION #48

Mr. Speaker: Thank you Mr. Watt. Are there any further discussions on motion #48?

Mr. Boyd: Yes, Mr. Speaker, at the time we were asked to request the gentleman from the Parks Board to be with us, I was against this because it was very obvious that they had nothing to add to what had already been said by them before. I knew this and I think that everybody else knew it too. All we did was prove, what the paper states, gave him nothing and wasted money. We gave him a holiday. If he had been prepared to come here to talk business on a different ground then there would have been some point in having him come. Now, the people in the Territory want a park, as Mr. Watt points out, the money will come from the same pocket whether it be national or Territorial. The only difference is if we go for a national park we ask Ottawa to put in a park and say you run it and you run it your way and we don't have any say. This is kind of foolish in this day and age. What we are asking for in this motion is a park where we will run it to the satisfaction of the people concerned in this Yukon. I think this motion has more merit and should have more attention than any other motion that has been put forward yet as far as parks are concerned.

Mr. Taylor: Mr. Speaker, apart from national parks, I think we dealt long enough on that matter the other day. In giving this matter some consideration I agree with the motion, however, it was my intention when we got back to the Game Ordinance to propose an amendment to schedule C which would describe the McArthur Game Sanctuary as the McArthur Territorial Park, the Kluane Game Sanctuary as a Territorial Park, Pine Creek Game Sanctuary as a Territorial Park, and I would suggest that when we return to the Game Ordinance I will propose this amendment and this will also assist the administration in the establishment of this park or parks. I will concur with this motion.

MOTION #48
TERRITORIAL
PARK

Mr. MacKinnon: Mr. Speaker, well I will agree with any kind of a park. It maybe not as good as the type we were discussing the other day. But, it would be better than nothing and I am quite certain that Mr. Boyd and Mr. Watt will eventually see the light and we will eventually have a national park too.

Mr. Southam: Mr. Speaker, I think in my own mind that you are gradually beginning to see the light. We need a park of some kind and the people do need a park. Also, I am not going to make too many references to a national park because I am coming back in the Fall with the same motion again and with a petition along with it and I know that I am going to get plenty of support. But, I am also in agreement with your provincial or territorial type parks. I think instead of making them miles away from people, I have jotted down a few places you could make into such, Otter Falls, Million Dollar Camp on the Haines Road, McQuesten Lake up your way, Ethel Lake, a short road between Pelly and Crooked Creek would put you into the warm springs that are just about at the Lake, probably ten miles further, Dempster Highway, Chadburn Lake, and I could likely name a half a dozen more places. It is something that is needed and that is sadly lacking in the Territory, but gentlemen, I do hope you understand that the Territory is going to be paying for it along with the federal government. You are not going to get the same support that you are going to get as for a national park. Now, I think, myself, that it has merit because it is a start and I think gentlemen that within not too many years you will have your national park.

Mr. Speaker: Any further discussion on Motion #48.

Mr. Taylor: Question.

Mr. Thompson: Mr. Speaker, it is your prerogative to deal in any manner that you see fit in dealing with motions. I still maintain that this is a duplicate of Motion #38. I will say that in the title of Bill #38 whether it was intentional or not, it should have read national park and territorial park. It says that we should establish both a national park and a territorial park and they are both mentioned and they are both a part of the motion and that is all that this motion is doing, it is repeating that previous motion. I would also like to draw to your attention to the fact that my file on this is headed up "Territorial and Federal Parks". It came out this way, I know not how. I would like to just take your time for a few moments and give you a resume of the park situation and I will tell you why I have supported both the national and territorial park idea. I felt when we listened to Mr. Brooks and I still feel now that we would have been in a much better position to get financial help for such a park and for this reason I went along with it. I also felt that we were doing the mining fraternity a favour in also establishing a Territorial Park where mining could be carried out. But the idea of any park, as you know, is primarily for the people and it was realized that the restrictions under the National Parks Act in respect to mining or any other development appear to stand in the way of obtaining adequate support for the establishment of any park in the Territory and so therefore we thought it might be better to establish a park for recreational facilities, etc. This is not new... just a Territorial park or just a national park, these ideas have been looked into and dealt with and as I say, I am not a proponent of only a Territorial park, but as Mr. Southam has mentioned, I do feel we could and should have a national park, but, if this is the first step and it probably is, then I will concur. I still say, Mr. Speaker, that this motion is out of order and should be deleted from the order papers until next Session.

Mr. Speaker: Thank you Mr. Thompson. I should mention that it does not behoove a member to discuss a decision of the Speaker. It is the member's providence to appeal to the House whether the decision is held up or otherwise. Are you ready for the Question. Are you agreed? Contrary. The motion is carried. Are there any questions this morning?

MOTION #48
TERRITORIA
PARK

MOTION
CARRIED

Mr. Watt: I thought this was the morning to have the Commissioner come down.

Mr. Speaker: It has been customary to do this but apparently it has been overlooked this morning. Was there any special point which you wished to direct to Mr. Commissioner?

Mr. Watt: Yes, I have.

Mr. Speaker: Would it be agreed that we defer this until two o'clock?

Mr. Taylor: Is it not possible that the Commissioner could now come down at this time.

Mr. Speaker: Mr. Clerk, will you please contact the Commissioner and see if he is available. I will call a short recess.

QUESTIONS

Mr. Speaker: I will call this Council back to order and we have Mr. Commissioner with us for a short question period and I think Mr. Watt had a question.

Mr. Watt: I would like to ask Mr. Commissioner if the administration plans on submitting to Council any Labour Provisions Ordinance based on the discussions that went on here last Fall and a year and a half before that. We have been expecting a Labour Provisions Ordinance from the administration, but if it is not prepared, fine. Can we expect that in this Session or will we allow for it in the Fall Session.

Mr. Commissioner: I haven't been informed as yet, tomorrow is the deadline, however, I am afraid that I am not too genned up on this Labour Provisions question, but it seems to me that it was discussed in Ottawa by the Financial Advisory Committee and are we not going to wait for the studies or findings results of the study in the N.W.T.....I believe that there was some correspondence to the Council on it. That question would be better put to the Legal Advisor.

Mr. Watt: I have a supplementary question, we have here a Bill before us, Bill #12 and there 13 pages and it seems to be a substitute for the administration's expected Bill. This has come as a private member's bill and not from the administration. There were prolonged discussions in Council on this before and to me, well I don't know.

Mr. Speaker: Would you please confine yourself to questions Mr. Watt!

Mr. Watt: The question is that I would like to know the source of this Bill, what it is based on and what, if it is the Bill from the administration, why was it introduced in this way?

Mr. Commissioner: I am afraid I can't answer or add anything to that. I am not familiar with the document.

Mr. Speaker: Perhaps we could have Mr. Legal Advisor in, I think that is in his category.

QUESTIONS

Mr. Watt: I will wait until we come into committee with the Bill and ask at that time.

Mr. Taylor: I could answer that question if required. I have a question to direct to the Commissioner this morning and it has to do with the air spray program. In view of the motions and discussions related to air spray and in respect to some of the communities, will this be undertaken this year?

AIR SPRAY

Commissioner: No it won't be this summer, the reason being that it is not good enough to say additional communities or all the small communities on the highway, to add them to the program, aside from costing us considerable additional money the communities we are referring to do not require aerial spray. The professionals in this business say that it is impractical to spray any area that is less than the mile square. Even in the mile square you are stretching the point. It should be done by hand equipment. Now, we discussed the subject and it is agreed that in the next five year agreement this program is going to have to be increased in size. We have had some bug specialists come in and study the situation a year ago and they were entymologists and it was pointed out that you must use a combination of air spray and ground spray, depending on the location. It is felt by the administration that in the next five year agreement we should allow some capital monies for the purchase of some portable ground equipment. This equipment could also be used in some of the areas that are now being air sprayed. Air spray is not the entire cure and in view of the time in setting up this program and getting bids we felt that it could not be altered this year so we are carrying on as we did last year, which you recall was a complete new program which was brought on by the removal of R.C.A.F. equipment and we had to fill the gap. It has been discussed and it is planned that over the next five year program there will be an expanded program to, I hope, include all the areas on the highway and for recreational areas too.

Mr. Taylor: It is unfortunate that we can't extend this to some of the other communities. This was all agreed to that it was a way of extending service to the taxpayers in the outlying districts. They pay taxes and get nothing back unless they have children going to school. It was agreed that we would oil in front of all businesses in small communities.

Mr. Commissioner: Mr. Speaker, as far as I know, this oil equipment is in and operating and will be used continually this summer throughout the Territory.

Mr. Taylor: This motion extended the roads in the program to include all business in small communities not already included.

Mr. Commissioner: Maybe I should clarify myself by saying that we will do all the areas that were originally planned and would hope that we can do the intermediate areas that have been brought up since then. In other words we are not going to set this truck aside, it will be operating wherever the money or equipment is available.

Mr. Speaker: Have we anymore questions?

Question #27
COMMISSIONER

Mr. Boyd: I have one question on the order paper for a verbal answer. Would it be in order for me to ask the Commissioner that question now. Have we an answer to the question "has the new Commissioner been appointed for the Yukon?"

Mr. Commissioner: I was going to send the stencil back with the answer but it would look a little ridiculous with just the answer "no". So instead of wasting money on a stencil I thought I would waste money on a telex and where I might say no, they might correct me. I talked to the assistant director and I said that that would be a straightforward and correct as far as he knew. I did talk to the Deputy Minister and he had nothing further on it.

QUESTIONS
COMMISSIONER

Mr. Boyd: That is a pretty good answer, thank you.

Mr. Taylor: I have one additional question with respect to Expo '67. Have the officials indicated when they will be sending representatives to the Yukon?

Expo
67.

Mr. Commissioner: Well, I am afraid that I am not going to be the good humor man this morning. Councillor Taylor has touched on a very delicate subject. As a matter of fact, that is what the phone call was about this morning. The information that I copied down so diligently and so carefully the other day regarding costs for these boutiques or whatever they are, it turns out to be completely false and the....when I wrote the letter I said that I had talked to Mr. Blanchard and pointed out that we wanted two booths or a total of 800 square feet. I was informed that this would cost us \$100,000. So, I was going to bring up the subject had Councillor Taylor not asked on it. I would like to have some indication from Council whether we should go to this extreme or not. If we take one booth it will be \$50,000. This is all inclusive, this is the ramp and the setting up of the displays, staff, and so on.

Mr. Speaker: Are there any further questions. If there are no further questions gentlemen, I would, in view of the time, remind you that we have a delegation from the City of Whitehorse here, the Mayor and City Council. What is your pleasure at this time?

Mr. Boyd: I would move that the Speaker leave the chair for the purpose of convening in committee as a whole to discuss Bills, memorandums, sessional papers, etc.

Mr. Southam: I will second that.

Mr. Speaker: It has been moved by Councillor Boyd and seconded by Councillor Southam that the Speaker now leave his chair and Council resolve into committee as a whole to discuss Bills, sessional papers, etc. Are you ready for the question, agreed, contrary? Motion carried. Mr. Southam will take the chair as chairman of the committee as a whole.

Mr. Southam: Gentlemen, in view of the time I will call a short recess.

RECESS

Friday, May 6, 1966.
11:00 o'clock a.m.

Mr. Southam: I will call this Committee back to order. We have with us Mayor Firth, Alderman Daniels, Mrs. Stark, Mr. Legal Advisor, Mr. Commissioner and Mr. Mackenzie. We are discussing Bill No. 6. I believe we left off at section 43 on page 13.

Mr. Commissioner: Mr. Chairman, may I be excused? I thought I may have been able to add something to that Reference for Advice regarding the City borrowing a hundred thousand dollars, but since it's on the Municipal Ordinance, I don't think I can add very much to it.

Mr. Watt: If we have a problem of \$100,000.00, maybe we should take it up right now when the Commissioner is here and then go to the Municipal Ordinance. Is there a problem there?

SESSIONAL
PAPER #61

Mr. Commissioner: Well, there is no problem there as far as I know, Mr. Chairman, but I did say in there that I would be happy to discuss it if there were any questions on the subject. We require an agreement in principle from the Council and it would show up as a supplementary in the fall because we can't give you a fixed amount. We don't know whether they are going to borrow \$30,000.00 or \$80,000.00, but we can see that it might be up to \$100,000.00.

Mr. Taylor: Mr. Chairman, I believe this was agreed to by Council prior to our week's recess.

Mr. Commissioner: Mr. Chairman, I understood that it was deferred before the recess. If it has been approved, this is fine.

Mr. Shaw: This is Sessional Paper No. 61, Reference for Advice. As far as I recollect, Council agreed with the terms as laid out in this Sessional Paper.

Mr. Watt: Mr. Chairman, I think we are talking about two different animals again. We agreed to the money for Lot 19, but I don't think we agreed upon the additional \$100,000.00 for the Centennial Complex. Is this what you are talking about...the Centennial Complex?

Mr. Commissioner: Yes, Mr. Chairman. That is correct.

Mr. Watt: Then we are talking about different things, are we not?

Mr. Shaw: We are talking about the same thing...Reference for Advice...Centennial Grants...Sessional Paper No. 61, and I have this cleared through here.

Mr. MacKinnon: Mr. Chairman, Mr. Watt had brought up at that time that it should not be cleared because it should be sent back to Ottawa to see if part of this money couldn't be kicked in by Ottawa and I think it was set in abeyance for further discussion.

Mr. Shaw: That is correct, Mr. Chairman. It was deferred.

SESSIONAL
PAPER #61

Mr. Southam: Well, gentlemen, do you wish to discuss this Sessional Paper No. 61 at this time? (Reads Sessional Paper No. 61, Reference for Advice, Centennial Grants.

Mr. Taylor: Mr. Chairman, in respect of this, the Federal Government, I believe, contributed \$250,000.00 for the Centennial Project. They also, on a per capita basis, gave us \$2.00 per capita for other projects in the Territory. My understanding was that they will not give us any further money over and beyond this \$250,000.00. I would like to direct that comment to Mr. Commissioner.

Mr. Commissioner: Mr. Chairman, this is a correct assumption. There was \$250,000.00 under the Memorial Grants program which was to be spent for capital projects in the capital city of the province or the Territory. In the City of Whitehorse, it was agreed that this would be split \$175,000.00 for the City Hall complex and \$75,000.00 for the Museum which is being constructed and looked after by the Historical Society. The other program, the cost sharing Centennial program, where the Federal Government will put up \$2.00 per capita for each one that the Territory puts up was to be shared four ways by the four outside Councillors and the three Whitehorse Councillors would waive their interest in this program due to the fact that they were getting a Centennial complex in the Civic Block in Whitehorse. As far as I know, the only concession that has been made is that the deadline of July 1, 1967, has been removed so that should the project not be completed by that date, the money will still be forthcoming. Aside from that, there are no additional funds available, except through the borrowing of funds by the City.

Mr. Watt: Mr. Chairman, I had asked to have this deferred when Mr. Shaw and Mr. Taylor were going East. The original estimates for the Centennial Complex were made some time ago. Since that time, building costs have gone up considerably. One of the chief factors in the increase of building costs has been this 11% tax on building supplies, etc., and this is reflected back into labour. I don't see any reason why Ottawa shouldn't kick in a third actually of this \$100,000.00. Actually what they would be doing is putting back in the additional that they are getting out of it anyway. It's not costing them any money. We are paying and they are collecting. There's no reason...this whole project is supposed to be cost sharing...the Federal Government and the Territory...and now we are asking the City to kick in the whole \$100,000.00 by borrowing it from us... from the Federal Government, but this money is going to have to be repaid and it's going to have to be repaid, this \$100,000.00, plus interest, will have to be repaid by taxing the residents of Whitehorse. I don't see why, and I think it is only fair, I think that the Territorial Council should ask the Federal Government to put up half of this and then the Territory and the City put up the other half. I think we should make that request. I think it is fair, and I think the Federal Government will consider it because, if they don't and if the City can't afford this \$100,000.00 and nail the taxpayers for it...if it gets turned down in a plebiscite or something, then what's going to happen to this Centennial Complex? We will be the only part of Canada without a Centennial Project outside of these little outlying areas, satellite projects. I don't think Ottawa would turn us down on this particular request.

Mr. Commissioner: Well, Mr. Chairman, on that particular subject, I understand from the news item, I believe, that came out in the last few days...a similar request was made to the Minister in Charge of the Centennial Program, Miss Judy LaMarsh, at the National Committee Meeting held in Ottawa, on the second and third of May, and her reply was

Mr. Commissioner continues: that she would have to go back to the Government of Canada and see if they were prepared to increase the grants, but she also said that if an increase was forthcoming on Federal money, that the provinces and municipalities would also have to pay their portion because under the Memorial Grants Program throughout Canada, it is set up that the Government will pay up to 50%..a maximum of 50% of a \$5,000,000.00 capital project, so the Province must put up \$2,500,000.00 if they want \$2,500,000.00 from the Federal Government. Now, in the case of the Yukon and the Northwest Territories, we were in no position to give them a cost sharing program such as the Provinces because we have people living in small groups throughout different parts of the country and we only have two municipalities. After considerable negotiation, they agreed to grant us \$250,000.00, an outright grant to the Yukon and I think there is a slight increase on that for the Northwest Territories. No, pardon me, Mr. Chairman, it's \$250,000.00 for each Territory on the per capita sharing project and there is more Federal money coming to the Northwest Territories because they have more population. Now, in answer to Councillor Watt, I would say that if there is money forthcoming, additional money forthcoming for the Memorial Grants Program to the Provinces, we would be in a very good position to say, "Well, we wish further assistance also". But, I think time is of the essence right now, as far as we are concerned, and even if we did lend the money and debentures were drawn and we went ahead as suggested in this paper, we could also have this eliminated at such time as the Federal Government gave us the Federal Government gave us some money back. In the meantime, if we said no to this in hopes that the Federal Government would increase an outright grant to help us out, we are looking at the better part of a year which is very late under the present circumstances. I think that it would be better to go ahead as we would like to do now and if Miss LaMarsh is successful in getting more Federal money for the Provinces under this Centennial Program, I am quite sure that we will be in line for any additional money too at which time the debentures could be written off and returned.

Mr. Watt: I have a supplementary question, Mr. Chairman. For the plan to go through as Mr. Commissioner suggested, it would appear here that there would have to be a plebiscite and that two-thirds majority of tax-payers would have to be in favour. As a tax payer, I would vote against it. I think that would be the slowest way to do it and what would happen, now, if it were voted down by the taxpayers? Would that mean that the whole thing would come to a standstill? I think it would be quicker to teletype Ottawa and get an immediate understanding that something like this could be received from Ottawa. As you say, there's a good chance of it and is Mrs....Judy...has already made a commitment to the Provinces, then all we would have to get is an affirmation that the Territory would be entitled to the same commitment. I was just reading last night where the original estimate of the deficit for Expo '67 was two hundred and thirty some odd million dollars and already it is over four hundred million so this is happening all across Canada. They must expect it to happen here. They have already made their commitments to the Provinces. They have made their commitments to Expo itself. There is no reason why they shouldn't be prepared to make this commitment right here, right now. I think that if we could get half of it from Ottawa, half of it from the Territory, and then I don't think the City would have...probably I could be corrected, but would the City have to go to a plebiscite for the other \$25,000.00 or could they borrow the \$25,000.00 without a plebiscite and we pay it back to the....?

SESSIONAL
PAPER #61

Mr. Commissioner: Mr. Chairman, the City has to go to the people on a money by-law and get two-thirds majority regardless of price, as I understand it. I suggest, as Councillor Watt and Miss LaMarsh seem to be on first name basis, that he would be the only one that would be successful in getting an immediate answer on the additional Federal Funds because I am quite sure that there would be nothing come back for some weeks, and possibly months, if I was to make such a request.

Mr. Watt: That is Administration. I deal with legislation.

Mayor Firth: I think Mr. Cameron's suggestion seems to be a very fair one and if we should be successful in getting some additional funds from Ottawa, as you say, this can be applied against our debentures. The question of selling this idea or proposition to the ratepayers is our responsibility. It's not going to be easy but I feel that we can accomplish it...at least I hope so. I feel also, and possibly Mrs. Stark can enlarge on this, the intimations that we have had so far is that the \$275,000.00 is not going to be enough. Some of the contractors have already kind of thrown their hands up and said "What's the use?" We are finding ourselves in a very difficult position. I think this would help if we could assure them we had the money, but, again, I hesitate to go out and publicize this amongst the contractors and say "Yes, we have \$275,000.00 to build this thing and we are likely to get some help from the Territory over and above this and we have a few funds of our own we can throw into this". I think this is going to predicate the price of the building. I am nervous about this. I feel that they are just degauging their bid on what they think they can get. I would love to see some actual bids and get some intimation and then we may not be working so much in the dark. Next Tuesday will tell the story.

Mr. Boyd: I'm a little vague. The City have been accumulating monies for quite some time, taxpayer's money, for this very purpose, and it would be very interesting to know how much they accumulated from the taxpayers for this purpose and how much they intend to put into this project. Mr. Firth just mentioned that they have "a little money of their own", and I am sure if I was going to vote on that, I would want to know what happened to this money you have already have and what is its status and so on.

Mr. Commissioner: Mr. Chairman, possibly I could throw in twenty-five cents worth here. There has been a fund that City Council has had set up for many, many years. Originally it was set up for the building and construction of a new City Hall. It was called a Building Fund. Approximately seven or eight years ago, it was decided that it would be some years before we could actually get a new City Hall and it didn't appear to be so essential at that particular time, and yet we were in very dire straights regarding equipment. So, they changed the name of this Fund to "Building and Equipment Fund". This Fund has been drawn on over the years for a new grader, new cat, and equipment as required. I believe Mrs. Stark can take it from there. I think there is \$30,000.00 or \$35,000.00 in the fund at the present time. Mr. MacKenzie and myself and the Council have discussed ways and means of trying to cut their Budget down for this coming year to see if they can bring it up to \$50,000.00 which would mean, if the figures we presently have on the cost of this structure are basically correct, we will be lending them \$50,000.00, but we are a little afraid because of the escalating costs and the way they have gone up just the past two

Mr. Commissioner continues:

years that it would seem a little ridiculous to just ask for what we feel is the bare minimum and then have to come back at a later date and say, "Well, we still need more". We are concerned...naturally it digs into Mr. MacKenzie's coffers...and we are going to make sure that they get every bit of scratch available of their own and we put up an absolutely minimum amount of the \$100,000.00, but what that figure would be, we can't at this moment say.

Mr. Stark: There is approximately \$52,000.00 in this account now. We expect to be extending the City Boundaries and so on so we have to keep some reserve.

Mr. Southam: Does that answer your question, Mr. Boyd?

Mr. Boyd: Yes.

Mr. Taylor: Mr. Chairman, it seems that the matter is somewhat in hand. I would agree with Mayor Firth that the best thing we can do at this particular time is to accept in principle the matters contained in Sessional Paper #61 and let this matter go, and I would move at this time that Council agrees in principle with the recommendations contained in Sessional Paper No. 61.

Mr. Boyd: Mr. Chairman, seeing I don't see anybody jumping up to second that Motion...the City have not come out and stated what they are going to do. They want to borrow money but they don't explain where they stand at all. They are not prepared to say what they can do and I think they should do this. We find they have \$50,000.00. Do they say that they are prepared to use it for this or what? We haven't taken over the Camp Takhini yet. That's for sure, and maybe we aren't going to take it over until we know that we aren't going to be the joe boys, cost wise, money wise. We are not going to take over a white elephant. We have a couple of them now. That's all very well to say that but here we have a plan and we have had this thing in mind for years and I think the City should be able to say what they are prepared to do. If they are going to borrow money from the people, the people are entitled to know this. They've got money that they have been collecting for this for a number of years. The people know this and they are going to ask them questions I would think. I know I would.

Mr. Watt: Mr. Chairman, I would like to suggest that rather than make a Motion on this now that we...we'll probably be sitting here by the time it gets here...when the bids are opened and we will have an idea of how much money we are talking about. This may not be too big a problem. I would suggest that we defer this...we have talked it out...unless the Commissioner needs an answer immediately on this. If it appears that the figures that are mentioned here are all right and the City can handle it the way as is suggested, then we could make a Motion here, such as Mr. Taylor has made, and it can be seconded at that time. We know what the problem is roughly and as soon as we find out what the amount is, and if it is comparable to what is in here, and the Mayor and City Council think it can be handled this way, I am sure that the Council would go along with the Motion.

Mr. Commissioner: Well, that's...it would probably be all right, Mr. Chairman, as long as the City can progress to a certain point in this. Mind you, they have to advertise for a plebiscite and prepare their advertising and publicity on it, and hold it, and then notify the successful bidder and before they can do this, of course, they have to know that

SESSIONAL Mr. Commissioner continues:

PAPER #61 the money is going to be here and available in some form or another.

Mr. Shaw: Well, Mr. Chairman, I have listened to the discussion. I have payed particular note to the remarks of the Commissioner and the possibilities of what Miss LaMarsh may do in making further money available. I also realize that the time, the matter of time involved and the City, to conduct this plebiscite and all these other arrangements, could run into a month or so and certainly we won't be sitting at that time. At least I won't be. I think we have to consider, Mr. Chairman, that we have an elected Municipal Council for the City of Whitehorse. The Mayor and Council are elected by the people to run the affairs of the City, and I would think the attitude, Mr. Chairman, that these people are quite qualified to do that. They have, no doubt, given quite some consideration to this particular loan matter, which in turn will have to be presented to the people for their acceptance or otherwise. I would think that we have a similar situation when this Council makes a request to the Federal Government. The Federal Government don't care to have the caucus in the Council. I think that many members, including myself, object to that somewhat strenuously. I think that we should also, when we are considering the Council of the City of Whitehorse, that they are entitled to the same consideration. They are asking to borrow some money, which, in turn, they will put before the people. There will be nothing underhanded. It's a straight business proposition. If the people reject the loaning of this particular money, then, as far as I can see, it's a case of where the Federal Government will come up with more money under the arrangement the Commissioner has stated, with also the Territory possibly assisting in the matter, and if that is not possible that they will not come up with any more, then it may be a matter where the garment will have to be cut according to the cloth...in the amount of money available. After all, this is \$250,000.00. That's a quarter of a million dollars. That's a nice little piece of money. However, somewhere along the line, it got split up between the Museum and the City Hall too...the building costs have skyrocketed. I don't think they have skyrocketed that much in the course of a year when this first, I think, came out. Surely it hasn't gone up 35% but that's neither here nor there. I feel, Mr. Chairman, that the City has given this very considerable consideration...City Council, and it also appears that the Administration agree with that thinking. I would, therefore, go right along with it and I would second Mr. Taylor's Motion. I was hoping that a Whitehorse Member might do that but they haven't so I will second that particular Motion.

Mr. Taylor: Yes, Mr. Chairman, I as just going to make the same point that there's a certain amount of faith and trust involved here, and I feel that both the City and the Territorial Administration will act in the best interests of all concerned in this matter.

Mr. Thompson: Mr. Chairman, I was just going to ask whether the Museum Society have approached the Commissioner for any additional funds because of this increased building cost?

Mr. Commissioner: Yes, Mr. Chairman, they have and, unfortunately, there is no way that I know of that we can make additional funds available to them. This is why, getting back to Councillor Watt's concern, that it is imperative that we know

Mr. Commissioner continues:

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as soon as there is any change in the amount of grants made available for this Memorial Grants Program because having had the question raised at the last National Committee Meeting a week or so ago, the Federal Government, no doubt, is working on it, and we want to get our oar in there, and I am going to make sure that they are reminded that we would like a little additional green across the palm of our hands for this program and we need it for both projects, but the immediate answer appears, to us, in order to get this City Hall complex underway, is for us to make arrangements whereby we can loan them money. We can't do this with the Historical Society as far as I know, and if the Federal Government does happen to dig deeper into their pockets and offer more money, it will help both projects out and it would certainly cut down the amount of money required by the City as far as borrowing is concerned, in fact, possibly eliminate it.

Mr. Southam: Mr. Thompson, will you take the Chair, please? Well, Mr. Chairman, possibly I shouldn't be speaking on this, being an out-of-towner. I know that the plebiscite will not affect me, but it seems to me that good business is good business. The Government is giving the town of Whitehorse a quarter of a million dollars to build a complex. I think it's a pretty good round figure. I wish they would give me that. To try and get any money out of Ottawa in a hurry, gentlemen, is an impossibility, unless you know somebody down there better than I do. It took me forty-two years for me to get a pension. Forty-two years. And, I finally got it. I didn't get the interest with it though. So, this is what you are up against, and I think that all this is doing, in my mind, is to guarantee that you are going to get your complex. I don't think there is anything out of the way about it. Just straight lending and borrowing and a little interest. It's to make sure that these people, this town, has got the money to finish what they are going to start. Now, if you have the plebiscite, and they turn it down, I think they are very short sighted because, after all, they are getting a big boost with a quarter of a million dollars. If you didn't get the quarter of a million dollars, what are you going to do anyway? You have got to have your new town hall sooner or later. Who's going to build it? Your town has got to build it, so I would say that this is a pretty good idea. I am quite in favour that, of course, I say I'm from out of town, and I can be criticized on it, but I don't mind...I still think it's good business to make sure that you have this money ready. For you information, gentlemen, the cost of building has gone up 17% since last summer...17%. What cost you \$200,000.00 last September, will now cost you \$215,000.00 and it's still going. And, if labour keeps demanding what they are demanding, you are going to find that your 35% won't be very far out. This is true. All you have got to do is read the papers, follow up your agreements, and you will find this is so, and I think Mr. Daniels can bear me out on this one. As I say, I think it is only good business to deal amongst ourselves if we can do it and, personally, I can't see why you can't do it. You are talking about \$50,000.00 to go down to Montreal to put up a little something in a little shack...nothing to it. \$100,000.00 here and there...and here, in your own balliwick you want to....a town hall complex and you are not willing to lend them a hundred thousand bucks to make sure that they get it. Why? I don't know. However, I am willing to listen to arguments on it, but this is my opinion. It's good business and I think you should go. I will take the Chair back, Mr. Thompson.

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Mr. Boyd: Well, this is all very fine, Mr. Southam. You may be living here one of these days and we will ask you to pay some taxes down here for us. I know, the costs have risen considerably and it may be that we don't need to build a City Hall Complex. We are now talking about taking in Camp Takhini and we have got some buildings up there that, I am sure, are equal to what we are going to build and then some, that the City might use. Another angle is, in view of what appears to be inflation or whatever is causing these high costs, it might pay us to rent, as we did with the Liquor Store. We didn't deem it necessary to build a Liquor Store. It's cheaper not to have one. Let somebody else pay the light bills and so on. There's another angle. If we go to the people and ask them for \$100,000.00, the first thing they are going to think is "What about my taxes. Are they going to go up?" and so on. Will they go up? I would like to ask the City Council this. Will they go up because of this \$100,000.00 and other business that you are now in the midst of undertaking, shall we say, within the next eighteen months?

Mr. Firth: Mr. Chairman, for Mr. Boyd's information...I would first like to compliment you and thank you, Mr. Chairman, for the remarks that you have made and the ideas you have put forth. Another thing is that I think our operating costs today, in our present situation in the Casca Building, would almost pay the amount of the loan if we, say, borrowed \$50,000.00 and we spread that over a period of ten years. Our actual operating costs today would pay that, so I can't see any immediate additions to your mill rate, although I do feel that it would only be reasonable to consider, for a municipal hall complex that we are getting...I think the people of the town should be willing, and expect, to pay a reasonable amount. Now, I don't say five or ten mills, but even one mill, or something like this, to provide the town with a proper City Hall. This is something that we have badly needed for many years. I feel the time has now come, and as Mr. Southam has pointed out to you, and we are receiving \$175,000.00, or \$250,000.00, for this full complex, and if we don't take advantage of it now, the whole thing is going to go down the drain, and we will wait another twenty years before we ever have a proper City Hall. We have the thing practically in our grasp now, and if we muff it this time, I think that you can kiss goodbye to City Hall for another twenty years. Thank you very much.

Mr. Shaw: I just had one comment, Mr. Chairman, I think we'll go back a little bit in history. When I was living in British Columbia and this was around 1934-35, when the Mayor of the City of Vancouver...we called him the Red Mayor and all other kinds of names. He was quite a going concern...a fellow by the name of Jerry McGear. He, up to that time...the City of Vancouver had been operating the affairs of the City from what they called.. I believe it was the Holden Building. It was on Hastings Street. I can assure you, Mr. Chairman, it was a very crummy looking affair from the outside although I never was in the inside. I did get a parking ticket but I left town the day after. So, Jerry McGear, he decided he would build a City Hall in Vancouver. So, of course, there was all kinds of controversy on the subject but finally, we might say, in subsequent events, right prevailed, and he built the City Hall in Vancouver, and when I travel to Vancouver, in this day and age, various residents of the City of Vancouver point out the City Hall. That's a wonderful edifice that they have. They are very proud of that City Hall. The only problem now is that it is getting a little bit too small, possibly, but I point out, that is what happened in the

Mr. Shaw continues:

City of Vancouver when they got out of this flea trap that they were in and built their own City Hall. I know there was a lot of controversy at the time. At the present moment, the Citizens of Vancouver are very proud of this beautiful edifice.

Mr. Firth: Mr. Chairman, may I add a few more words to my remarks. I overlooked a very important point. The fact that we need a City Hall is one thing, but we badly need a fire hall a great deal more. The present one...we have outlived it for size. It's impossible to repair at any reasonable cost. We were very fortunate to have the fire hall included in the City Hall Complex. They were of almost two minds whether they were going to grant joining the two, then they decided to consider it one and we were able to come up with a new fire hall. I think that this is also a very important point and I am sure that when we go to the people and try and sell them this idea, we are going to stress this point in particular.

Mr. Boyd: I am going to vote for this thing...in favour of it, but the reason I stand up the way I do...it seems that every time we make a move in this Council, we are dealing with astronomical figures. Everything seems to have lost its rhyme and reason and we are just spending people's money, after all is said and done, literally like water running down the drain and we don't seem to have any say or control or anything else. We are in a bind and when you sit here and listen to a man like we had here the other day in connection with Corrections...we started off with a figure and he's a half a million dollars over what we told him we'd go for. Education comes along and they're up half a million dollars. Welfare...and we just go on. I like to spend money too, but I wonder where we stop...how far we can go...who is going to pay for it in the long run. I may not be here to tell and see how things go, but this is my concern and I don't think anybody can blame a man for being a little bit concerned about it.

Mr. Commissioner: Mr. Chairman, Councillor Boyd has a good point and I think it's a concern of all of us. We run into this in Administration every day and it is shocking. There's no doubt about it, but I would like to clarify one point. The figure of \$250,000.00 did not come up a year ago. This is going on three years now that this figure was brought up, and at that time, we checked with the City and talked about the City Hall and it was felt that \$100,000.00 and \$125,000.00 would build a pretty nice City Hall. The same with the Museum, the Historical Society. We said "How much would it cost for this Museum you have designed?", and one of the professional engineers who had been in on the designing said well he thought he could make a fair profit and build it for sixty thousand dollars so this is where we got the breakdown. We felt, well, \$175,000.00 for the City Hall Complex should be ample and \$75,000.00 should be for the Museum, but over the past three years...your 17% is not a good figure because I think it will be more like 30% or 35%..40% over that period of time. I think this was the point that was made at the last National Committee. That was why the request was made to Miss LaMarsh that the Federal Government throw in more money and she is going to look into it, and I think that we, certainly if they come up with a favourable reply, will be on the receiving end of that too in the form of an additional grant because we are not sharing in this program at all.

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Mr. Watt: Yes, Mr. Chairman, I would just like to say that, from what some of the Members from the hinterland have said, they have a lot of faith in the City Council....I have a lot of faith in the City Council too. By asking to have this deferred so that we could find out what the actual sum would be, I wasn't saying that I have no faith in the City Council or that I want to pull the plug out from under this Centennial Complex. If we can get the \$50,000.00 that we are entitled to from Ottawa, that we are asking for, we should certainly do it. It's coming out of our own pockets anyway. They collect that \$50,000.00 from us through Income Tax. I pay a good share of that myself. I'll vote for the Motion. It's too bad that we couldn't wait for just a little while until the Commissioner had contacted Ottawa to find out what additional help that they are giving the provinces and would be forthcoming here and how much the actual bid is going to be. We will know by next Tuesday but apparently Members from the hinterland are in a hurry to get this over with so I will certainly vote for this Motion.

Mr. Southam: Did you wish to say something, Mr. MacKinnon?

Mr. MacKinnon: I guess I should, Mr. Chairman. I don't mind helping the City of Whitehorse spend their money so I'll vote for it.

AGREEMENT IN PRINCIPLE OF S.P. #61 MOTION CARRIED

Moved by Councillor Taylor, seconded by Councillor Shaw, that Council agrees in principle with the recommendations contained in Sessional Paper No. 61.

MOTION CARRIED

Mr. Southam: At this time, gentlemen, looking at the time, I don't think we can get very much else done before noon, so I would recess and we will reconvene at 2:00 P.M.

Friday, 2:00 p.m.
May 6, 1966

Mr. Southam: Mr. Thompson and Mr. Watt will be late. I have BILL #6 been asked if the committee will go back to Section 36. Mrs. Stark has something she wishes to discuss.

Mrs. Stark: Section 36 says the judge will have notified the clerk by the first day of February in each year. Now, Section 40 says the tax demand notices will be issued by the first of March. I think when the judge has from February first to turn it back to the clerk it means that if he calls for the reassessment for the land, this takes a couple of weeks to do and then you only have two weeks to calculate taxes. It should be March 15th in Section 40.

Mr. Southam: Agreed, gentlemen?

Mr. Spray: It is page 12 of the Bill. Mrs. Stark would like to have section 183 changed to the 15th day of March.

Mr. Taylor: Possibly this should be noted for the Legal Advisor since he is absent.

Mr. Clerk: He will be notified.

Mr. Southam: All clear gentlemen? We will carry on to Section 43 and 44.

Mrs. Stark: Mr. Chairman, I would like to point out that the Commissioner is setting a mill rate on an assessment he won't know until the first of February. If it goes to court the judge has only the first of February to make a decision. You have the Commissioner doing something before he knows the assessment that he has to base his mill rate on. I would say a month would be all right. This would give time to make any changes and get the information over to the Commissioner then he can set the mill rate.

Mr. Spray: I would agree with the 15th of March for the clerk to issue tax notices. It is two weeks after any new assessment asked for by the judge.

Clear

Mr. Southam: Section 45, 46, 47, 48.

Mr. Shaw: The only difference is in respect to unpaid taxes and this one says in respect of current taxes. There is a difference there in what is existent and what is now. Can Mr. Spray explain that. This is under the election part of the matter where a person can run for an office or not. There was a thought that a person may be temporarily embarrassed and therefore he was still a taxpayer and liable for these taxes.

Mr. Spray: The change from unpaid taxes to current taxes clears up an ambiguity where we felt that current taxes was an ambiguous term.

Mr. Shaw: Thank you Mr. Chairman. Clear.

Mr. Southam: Section 49, 50, 51.

Clear.

BILL #6 Mr. Southam: Section 52.

Mr. Spray: Section 52(4) Mr. Chairman, if I may, this proposed amendment was not discussed by the Territorial Council in the Fall Session, this came up since. Our instructions to the draftsman who had the job had the Board of Revision consist of two aldermen and the mayor or reeve as the case may be. You will note in 256 (1) that the Board of Revision will consist of those not holding office or employed by the municipality. I draw this to your attention.

Mr. Shaw: I note that I think it isn't a very good move to have the person who sends out the notice in the first place, they should hardly be judge of the act.

Mr. Spray: We did change it on the tax assessment board and put it into an independent board. This is an election and the drawing is following the same train of thought.

Mr. Shaw: How does that date fit in with the date of the election occurs and so on. Does that concur with the date of election.

Mrs. Stark: Election is the first Monday in December.

Mr. Spray: Before we go further I would like to draw your attention to 253 and 254. It has not been amended although we requested that they be changed to abide by the preparation of lists of electors in villages only. The city should prepare this list of electors before an election and base it on the enumeration. This is in keeping with the wishes of the Council. We proposed enumeration for the smaller communities and after discussion Council said not for the small communities. The draftsman has left this out entirely. This is a matter of preparing a list by enumeration.

Mayor Firth: This is revision of the voters list.

Mr. Spray: I am going back prior to 256, to 253 and 254 which should be amended by enumeration.

Mr. Shaw: In the old Ordinance the Clerk would prepare the list, it would not be the same in the smaller communities.

Mr. Spray: This is quite true but it was our wish that the clerk look after preparation of the voters list in villages but in the cities the voters list should be prepared by enumeration. I think this was brought up in discussions with the City of Whitehorse.

Mr. Firth: Mr. Chairman, this was a request made by the City of Whitehorse because we found that our voters list was sadly outdated. We are now taking steps to improve it.

Mr. Southam: Should this not be drafted? Should 253-254 be included.

Mr. Firth: Right now it is an option.

Mr. Southam: Speaking from the chair, it would be my opinion at the present time and for quite a few years to come that you might find quite a change over the last three years.

Mr. Shaw: Mr. Chairman, I would like to direct a question to the Legal Advisor, we have in section 253 of the Municipal Ordinance, "where the municipality is divided up into separate polling divisions the clerk should prepare an annual separate list of electors or the polling divisions" If the clerk prepared a list would it be in the confidence of the City of Whitehorse to go around and get a list or can he get it from his information.

Mr. Legal Advisor: I have no ready answer for that, I will have to do a little reading and just sort out, the Municipal Ordinance is rather a long one.

Mr. Shaw: Could the Legal Advisor put into this a particular section in this bill which will permit that the municipality may do this. I do say may as perhaps there may be instances where it will not be necessary every year but every second or third year. To give the one a power to send enumerators out.

Mr. Legal Advisor: Yes, I think I would prepare something to cover your point if that is the wish of the committee.

Mr. Boyd: It states that the clerk may already do something, it doesn't define or tie down the means. It is now in the city's hands.

Mr. Spray: One point, if you use enumerators it would eliminate the swearing in at the polls by voters. They are not enumerated and then the name doesn't appear on the voters list.

Mr. Shaw: Mr. Chairman, I am very much in favour of everyone getting the right to vote but it appears to me that in the past this matter has been very loose...people strolling in and having to swear to responsibility, etc. I think myself that every opportunity should be given to the people to vote and at the same time we are restricting the power of the clerk. It states in 252 "where a municipality isn't divided into polling divisions the clerk should prepare a list of electors annually in which the names of persons qualified to vote as far as is ascertainable are set out in alphabetical order with your occupation and addresses. Would this prohibit the City from having enumerators go around to conduct their survey.

Mr. Legal Advisor: Mr. Chairman, if the City wants to provide enumerators who will go out and get the information for the clerk I don't think it will prohibit it. They might have trouble providing the money to pay the enumerators.. They might be able to cover it under administrative headings but they can't prohibit it. The clerk or whoever is preparing the voters list has got to get the information some how. They would lack some of the status of appointed enumerators and they will have to swear an oath that they would return proper information. Now these people would not be sworn enumerators, there might be a weakness there. The point brought to your attention by Mr. Spray is quite right, the idea of putting the enumerators in there on a regular footing was to prevent this chaotic business of swearing in lots of people at the voting station. It hasn't always received the kindest comments from the public or anybody else. So, that is what we are trying to do there and we thought we had your approval for this.

Mr. Shaw: Thank you Mr. Legal Advisor.

Mr. Firth: I don't think even with the enumerator that we should not give the person the right to sworn in. What we are trying to do is eliminate the open bulk swearing in.

Mr. Spray: We have asked for enumerations only in the cities and not in the villages. In order to have the prospective voters we have suggested that anyone may present themselves to the Board of Revision without prior notice.

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Mr. Firth: There is no definite time set for the Board of Revision.

Mr. Boyd: It says as required.

Mr. Firth: It could be for a month or it could be a week. This is indefinite.

Mr. Southam: Speaking from the chair, wouldn't it be up to the City Council to set a time.

Mr. Spray: If you look at Section 263 of the Ordinance.

Clear.

Mr. Southam: Sections 53, 54, 55

Mr. Shaw: Do we still have the swearing in if we have the enumerators.

Mr. Spray: One point, Mr. Chairman, the swearing in is a last resort to get your name on the voters list. If your name is not on the list it should be put on by the Board of Revision

Mr. Shaw: It would appear to me that when a person goes up before the clerk and says that I am paying \$180 dollars on property and signs for that....anyone can swear to that. If the person had to have written proof this would be proof that the eligible persons would vote.

Mr. Firth: Mr. Shaw has changed my thinking on the enumeration and court of Revision. It doesn't seem to be too hard to get on the list.

Mr. Boyd: I thought this was what we had concluded.

Mr. Shaw: I would ask Mr. Spray and Mr. Firth by this Board of Revision are we eliminating in urban areas the swearing in vote.

Mr. Spray: In the villages you don't have the enumeration. The enumeration applies to cities. I think you will find later on where we have asked for amendments.

Mr. Southam: Sections 56, 57, 58, 59, 60, 61.

Mr. Boyd: What is the reasonable amount of time that would cover all areas of places of employment. Who states the reasonable time arrangement?

Mr. Legal Advisor: No, but I can say that it was felt in the Municipal Ordinance that the same standard of absence from work as in the Federal Ordinance wouldn't really apply. I think it is two hours or is it three hours in the federal and we thought that since a municipal election it would be unfair to the employer when his employee has to walk down the street. So we have used the word reasonable out of inability to find a better word. Who would decide the reasonableness I don't know. It could be a matter that could be tested in the court. If the employer said you had five minutes when it was five miles to go vote that would be unfair.

Mr. Boyd: If the management says you have ample time in your noon hour, well maybe he has time and maybe he hasn't. Let us say we are dealing with fifty on staff and I say you can use your noon hour. I heard noises concerning the election a while ago about time off. I won't go into detail as I am not sure of the facts but there were some rumbles.

Mr. Legal Advisor: No I don't think an employer can say use your lunch hour as it says give the employee reasonable time. The lunch hour is provided for the man and the employer has to give it out of the day so the employee can't do that. If someone could suggest a more equitable standard we would be very happy to put it in. We have got to put in something, if we put in one or two hours it might provide a hardship.

Mr. Firth: I think it is up to the employee to ask if he could go out and vote and then take the reasonable time.

Mr. Southam: What is the usual procedure in Whitehorse now and what is the furthest distance the voters may have to go to the polls.

Mr. Firth: Our boundary goes just beyond Tourist Services and the voting is usually held in the C.Y. Hall and that is in the center of town.

Mr. Shaw: What if it says reasonable time during the working day.

Mr. Legal Advisor: The section does apply a penalty if the employer is unreasonable. If you take the municipal boundary as a yardstick this isn't too reasonable because the man may be working at McRae or Porter Creek and have to drive in before the polls close and on the other hand the voter may live next door to the polls and not need any time.

Mr. Boyd: Let's leave it the way it is. I am not going to argue the point. I have made my point but there are some people working quite some distance and some are with the Territorial Government and they are allowed reasonable time from where they are working and this could be a day or so. This is getting ridiculous but this was the comment made and I thought I should draw it to your attention.

Mr. MacKinnon: In the cases of a Territorial employee would the government be liable.

Mr. Legal Advisor: The Territorial Government wouldn't be liable but there maybe personal intimidation, the person responsible for that might be in a bad position. It might read any employer or other persons and if it is the head of a department he could be singled out. A man might use it as an excuse to come to town.....what to do about it, Mr Boyd did bring up a good point.

Mr. MacKinnon: The head of the department would be liable?

Mr. Legal Advisor: Under the present heading he wouldn't or at least it is open to too much argument, if you put in the words employer or other person then he would be liable.

Mr. Southam: Mr. Thompson, would you take the chair please. Now in the case of where a Territorial employee, I would assume that if they were on the road, his supervisor or what couldn't say take all the day off. Isn't there some way he could vote before hand. The date of election is known months before hand. It should be left up to the man. I know if I were out of town I would find some way to vote.

Mr. Thompson: It seems that we are talking about a very small population and I think there should be an advanced poll. We are talking about so few and seem to be spending so much time on it.

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Mr. MacKinnon: Irregardless of how few, one has as much right to vote as another. I know pretty well what Mr. Boyd was talking about. Just because they are working out in Carmacks, they should have as much right to vote as anyone else.

Mr. Boyd: With all due respect, that isn't quite the point. We were arguing about what was reasonable time. We had a crew out on the Canol road and you never know where they are going to be and so they were out there and they didn't vote. It did come up and one said that he was going to vote. According to this it could happen anywhere. I think we would be wise to leave this in abeyance.

Mr. Southam: At this time gentlemen, I will call a short recess and maybe in the meantime we can make up our minds.

RECESS

Friday, May 6, 1966.
3:30 o'clock p.m.

Mr. Southam: Gentlemen, I will call this Committee to order and we will continue with section 290A, Bill No. 6, An Ordinance to Amend the Municipal Ordinance, and I will finish up the (2) and (3) which will give us a better idea. (Reads (2) and (3) of Section 61). BILL #6

Mr. Legal Advisor: I thought that Councillor MacKinnon had a point there that he raised earlier and as you have now come to this subsection, I wanted to be sure what my instructions were.

Mr. MacKinnon: Yes, Mr. Chairman, I think Mr. Hughes made a very good point when he mentioned these three words could be added "or other person". I believe that would be a necessity and then we would not have any question within our Government Departments, and this would apply to quite a few of our Departments. Every man has a right to vote and we shouldn't deny him that right.

Mr. Southam: Was there something you wished to ask, Mr. Shaw?

Mr. Shaw: I just want to go back to something a little later. I will bring this up a little later after we finish this section.

Mr. Boyd: Mr. Chairman, I take it that the Legal Advisor is recommending that these three words should go in, and I am inclined to agree although I don't know who, other than an employer, could, directly or indirectly, could interfere with an employee in this regard. If a Motion is required... I would like to ask that first... I think we should do it now and get it over as an Amendment.

Mr. Legal Advisor: I will take it as an instruction, Sir, to come back with an amendment on that point and you can pick it up on your final reading.

Mr. Shaw: The point I wanted to bring up, Mr. Chairman... I didn't quite get it was that, to go back to section 60 (c), "agents, not exceeding one for each candidate;". In the existing Ordinance, we have "agents not exceeding two for each candidate". I would look at it like this, Mr. Chairman, quite frequently being an agent for a person is more or less a labour of love, you might say. Quite frequently, one person will go in in the morning and one will go in in the afternoon because it is a rather long day from eight o'clock to six o'clock at night and I wondered about the necessity of restricting it to only one agent can be appointed or can two agents be appointed but does that mean two can be appointed but only one can be there at a time? I can quite understand one being there at a time but it would still need two to be appointed.

Mr. Legal Advisor: Could the Councillor refer me to the section? I can't find it.

Mr. Shaw: Section 282 of the existing Ordinance and section 60 of the new.

Mr. Legal Advisor: Section 282 would then read "during the holding of the poll, no persons may be present in the polling station other than (a) officers appointed, (b) the candidates, (c)"...this is where the change would come in. It would be "agents, not exceeding one for each candidate". It doesn't

BILL #6

Mr. Legal Advisor continues:
mean that he could only have one agent. He can only have one in at a time. There has been a slight clustering of agents in some of the polling stations in the past so we are trying to keep the numbers down.

Mr. Southam: Could I ask a question from the Chair of Mr. Legal Advisor? What is meant by "agent"?

Mr. Legal Advisor: "Agent", Sir, I think there is a definition somewhere of the functions of an agent.

Mr. Shaw: Well, Mr. Chairman, you have the official agent, that is your manager, and then you have scrutineers...what we call scrutineers. I don't know but I think this would mean scrutineer.

Mr. Legal Advisor: Coming back to that Sir, I think I can come up with some remarks on it, but it's being a little elusive.

Mr. Boyd: Mr. Chairman, let me try to explain it. In the case of Whitehorse, where we have nine electoral districts, speaking along the thoughts that Mr. Shaw is using, we would need nine agents. My interpretation of an agent is the man I appoint to run my campaign, to conduct my business, pay my bills and so on. The person who sits in the voting room on the day of election, he is not an agent by that sense. He is there to see that only the right people vote and so on and look after your interest in this respect..as I see it.

Mr. Shaw: Mr. Chairman, according to this...it is quite clear....during the holding of a poll, no person may be present at the polling station other than the officers for the election, the candidate to be voted for, one agent, and the persons in the process of voting, or a police officer. So, in other words, if a person went in to get information from the agent, or I would assume this means the scrutineer and not the official agent, then they would be excluded from going in because you can only have one agent.

Mr. Legal Advisor: Could I draw your attention to section 250...."Any person producing to a Deputy Returning Officer, written authority to represent a candidate as his agent at a polling station, shall be recognized as such by the Deputy Returning Officer". So, any messages that had to be conveyed by the Returning Officer to the candidate...the candidate that wasn't there for instance...would be delivered to the agent. The exact range of functions he would perform, I don't know, but that's where he is found...in section 250.

Mr. Taylor: Yes, Mr. Chairman, but the big problem here is that he is limited to only one of those agents at each poll. This is where the problem lies. I think we are talking about scrutineers for sure here, rather than official agents.

Mr. Shaw: It would appear to me, Mr. Chairman, that if we just had the existing Ordinance.."agents, not exceeding two for each candidate"...as far as I can see, it has worked satisfactorily in the past, and if we only have one, the Returning Officer, when another person comes in, you will see this agent say "Get out. There is only one agent allowed in here." and I am certain that that very thing could happen if there was just one agent. If there are two, there is a certain amount of flexibility and I can't see that it does a great deal of harm. The other might.

Mr. Legal Advisor: We have no views. We had heard, I believe, that there were too many people congregating in the polling station, and this was an attempt to reduce the number of people there. There is no strong feeling on this at all. It's simply just changing the word "two" and substituting "one". That's all we have done here in this suggested amendment. I can't think of any other reasons other than trying to keep down the number of people standing around. BILL #6

Mr. Shaw: I don't see any objection to having one agent representing a person, but there must be some provision for another agent to come in from time to time for communication, but this would exclude it because two agents cannot be there. That's the only thing I am remarking on. I think there would be quite a lot of controversy on something like that. There could easily be. That is why there has always been two...for that specific purpose.

Mr. Firth: Mr. Chairman, in the past, in a Municipal election, we have always had two polling sections so I think you would have to have an agent stationed before each polling division or section...as I say, to act as a scrutineer to see who has voted and who has not voted. This possibly is the reason for this "two" being here in the first place. As Mr. Shaw has pointed out...one, he's going to be kept kind of busy looking after both polling booths.

Mr. Legal Advisor: The note I have made of Council's view last year is found on page 31 in heading 64. There the Council had agreed to the suggestion as outlined so that's why it's in. If you don't like it, we can soon deal with that problem...by putting a pencil right through it.

Mr. Shaw: Well, Mr. Chairman, Item 64 says "agents not exceeding two for each candidate".

Mr. Legal Advisor: If you look, reading across, you will see in the next column, the suggestion, and the next column "the Territorial Council agrees with the proposal as outlined", but if the Council wishes to say "No, it doesn't agree with it", then that's fine. It does not seem to be a world shaking improvement in any case.

Mr. Shaw: Well, Mr. Chairman, being human, possibly I didn't note the significance of it at the time. I did note it this time. I agree that one is plenty to have in at a time, but when you have communications and, like I pointed out, one person works in the morning and one works in the afternoon, it would create some difficulty.

Mr. Southam: Mr. Thompson, will you take the Chair? In the area where I represent, and I guess they are all the same, we have a poll at Elsa, Calumet, Keno City, Mayo, Stewart Crossing. Does that mean that we would have to get ten agents? I understand the agent is a man, as Mr. Boyd says, that represents you...your agent. Scrutineer, yes, but not an agent. This is the way I understand it. Maybe I am wrong. Whether you call him an agent or a scrutineer, what's the difference? What I was interested in is what do you mean by an agent? I understand the agent is the man that you appoint to run your campaign and pay your bills and so on and so forth but the others are scrutineers. I will take the Chair back Mr. Thompson.

Mr. Boyd: We are talking about the Federal wording of a deal

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Mr. Boyd continues:
and a Municipal wording. The Municipal wording has gone to the plan of calling, what we think of as a scrutineer, they are calling him an agent. I suggest we change it back to two and leave it where it is...where it was...and everybody will be happy.

All: Agreed.

Mr. Southam: Reads Sections 62, 63, 64, 65 and 66.

Mr. Taylor: What section is section 297?

Mr. Legal Advisor: If you have your explanatory discussion notes, page 34, item 72...it's hard to escape reading them.

Mr. Southam: While you are looking that one up, gentlemen, you might as well look up section 67, sections 307 and 308 of the said Ordinance are repealed.

Mr. Legal Advisor: That's on page 35 of the explanatory notes. May I deal with 297, Sir? May I offer a comment? The draftsman here has gone farther than Council had agreed, or the Administration had recommended. He has proposed the repeal of the whole of section 297. With respect...I would suggest that it is better to leave section 297 in than to take out the whole of it because section 297, sub 2, does give the Returning Officer a power he might have to use. The idea was that he should be prevented from appointing a candidate's agent, but I recommend that 297 be kept in rather than swept out in such ominous fashion.

Mr. Southam: Do you agree with the suggestion, gentlemen, that 297 be left in?

Mr. Thompson: What **are** the Members of City Council's feelings on this, Mr. Chairman?

Mr. Firth: I can't see anything wrong with leaving that in, Mr. Chairman. It gives the candidate a chance, if he feels that there has been a miscount, that he can ask for a recount right there and then. There is provision for a recount at a set date after the election. You say that the voting is closed and he feels, before the information reaches the street, that he would like to have it clarified and he can ask for a recount before the results are made known, so long as he does it before it is publicly declared.

Mr. Boyd: He could ask for a recount. As you say, it might be very close and he might get the decision by the recount. Then the other candidate might ask for another recount because he's entitled to another check I would think. If you make one mistake, you can make another mistake. Where do you go from there?

Mr. Southam: What is your opinion, gentlemen? Do you want it taken out or left in, or part of it eliminated, or part of it left in?

Mr. Shaw: Mr. Chairman, it has been in there since 1959 when we revised this. It seems to have worked out very well. It's not hurting much to leave it in there.

All: Agreed.

Mr. Southam: Reads section 67.

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Mr. Spray: Mr. Chairman, our instructions to the draftsman were that sections 307 and 308 remain unchanged.

Mr. Legal Advisor: Throughout the instructions to the draftsman, Sir, if we had put an idea up to Council for discussion and Council had said "No", then we abided strictly by Council's instructions in this matter. Here, if you look at the top of page 35, you will see a suggestion had been made for an amendment...it was the Administration's suggestion. Council said it did not agree...if you look in the third column and, therefore, we have just filled in the right hand column to say "sections 307 and 308 should remain unchanged". We had gone right through the whole of the discussion with Council so far as possible, noting what was said pro and con on the different sections. Why the draftsman decided to change something that we had given a clear instruction to, I don't know, except it was quite a lengthy draft to prepare and he may have lost sight of the instruction on this point. I can only continue to recommend that Council has stated its view, and if you give effect to section 67, you are now countermanding your previous instruction, so to be consistent, I would recommend that Council now refuse this section 67.

Mr. Taylor: Mr. Chairman, in respect of these two sections, it seemed to me that the Administration had proposed a change which would allow the Commissioner to fill the vacancy and Territorial Council said they wished this to remain elected members only because we didn't want the Commissioner appointing members on Municipal Councils and this is where the whole thing went up in the air.

Mr. Legal Advisor: So, if Council reasserts its previous view, Sir, this section 67 must come out.

Mr. Taylor: This 307 and 308 also sets down the date of nomination days and so on. I think it should remain in.

Mr. Legal Advisor: I am sorry. I am suggesting that section 67 in the Amendment should come out. That is the section calling for the repeal of sections 307 and 308.

Mr. Southam: Are you agreed with this suggestion, gentlemen, that section 67 of the Amendment be deleted?

All: Agreed.

Mr. Southam: Reads section 68.

Mr. Shaw: If we add any more sections to that, we will have to get a new alphabet.

Mr. Southam: Well, gentlemen, you have in front of you now about three pages of nothing but forms. Maybe Mr. Legal Advisor could inform us if there are any changes whatever, and if there is not, I would suggest that we leave them as is. We have to go back to one or two sections, if this is agreeable.

All: Agreed.

Mr. Southam: Gentlemen, I think we have a couple of sections.. 26, 27 and 28..that we did not review, and then after that I would like to take up section 135.

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Mr. Spray: Mr. Chairman, if I may before you go on with those other sections, one of our instructions to the draftsman was that the words "So help me God" be struck from every form thus allowing someone to affirm rather than swear "So help me God" which is not always desirable by everyone.

Mr. Southam: So help me God, it will be.

Mr. Legal Advisor: You asked me to indicate if there were any changes in the forms. There are changes but I wonder whether the City Clerk has studied these and found any reason to object to them. We tried to improve the forms but sometimes when we start tinkering, we get into trouble.

Mr. Firth: Mr. Chairman, may I ask the Legal Advisor how you would change the closing of these forms if we are going to strike out "So help me God"? There must be some way of closing them off. "I do hereto attest" or "I do hereto affirm" or what is the phraseology?

Mr. Legal Advisor: Well, it's always open to a person to affirm so we could actually leave the "So help me God" in and put below that "or affirm". Or you put a note "Instead of swearing, this may be affirmed". This would perhaps relieve the situation.

Mr. Shaw: "I solemnly affirm"....would that fit in...something like that?

Mr. Taylor: Mr. Chairman, couldn't we just say "So help me"? Isn't that what we decided last fall?

Mr. Legal Advisor: No...it might be "So help me Hannah"... I think that's an expression.....if we put it in...see, in the first one, there is actually no swearing in it. It is really an undertaking. It's an oath. It isn't an oath with reference to the Bible. It's an oath of office. The next form says "I do swear"...well, we could put in "I do swear or/do solemnly affirm". We could make these small interpolations and leave off the "So help me God". Would you allow us to do a little tailoring on that. I think we can overcome the point.

Mr. Southam: Speaking from the Chair, I think we could leave this in the Legal Advisor's hands and he could surely come up with something that would sound original....

Mr. Thompson: I think there should be a choice...give them one or two...find a way out.

All: Agreed.

Mr. Southam: Well, gentlemen, could we go back to this section 26? (Reads Section 26).

Mr. MacKinnon: Mr. Chairman, I would like to ask the Mayor if this is alright with him...this particular section?

Mr. Firth: Mr. Chairman, I see nothing wrong with that. The two signing authorities of the City are signing the debentures. This is the usual procedure.

All: Agreed.

Mr. Southam: Reads sections 27, 28 and 29...."The headings substituted therefor" and we went on from there. Well, gentlemen, Mr. Firth would like to discuss Section 135 of the old Ordinance.

Mr. Firth: To clarify my remarks, if I may read to you 135...it says "lands shall be assessed at their fair value and in determining the value, the assessor shall consider, among other things, the business advantages of location", etc., etc., and what we are trying to do now is to amend this section so that we can get in a wording so that we can more accurately describe the fair value. We are proposing to you, Mr. Chairman, and to Council, that you accept the interpretation of "fair value" as is set out by the Alberta Assessment Ordinance and it reads in this way: "The fair actual value of such properties, subject to taxation, is a matter of great concern" and so on. To that, we would like to add "but an average price that fits similar property sold by willing informed sellers to willing informed buyers". Now, if this extra wording can be worked into these amendments, I think this is what we would like and we would ask your indulgence.

Mr. Shaw: I have a question, Mr. Chairman, in respect to that. I would refer this to Mr. Firth as he must have a reason for wanting this wording. If I had an old shack in the middle of a business area, a commercial area, a residence in other words, would that mean that I could continue to live in that old shack and pay the rate that residential property would be or would I have to pay in relation to property that is surrounding me?

Mr. Firth: Mr. Chairman, I would say that once we have accomplished our zoning by-law which is in the process now, that if this situation did arise, that you would pay the same on this land as the ones next to you. This is what we are trying to get. We are trying to get the people to use their land. We are trying to get a fair assessed value on the land regardless of what use you may wish to make of it. This is the reason for the zoning. This is the reason that we want this power so that we can assess the property at a fair actual value.

Mr. Shaw: Thank you, Mr. Chairman. That answers my question. I am quite satisfied with the proposal. I would ask Mr. Legal Advisor if this proposal will affect the desired results?

Mr. Legal Advisor: Mr. Chairman, I really couldn't hear what the Mayor had to say there. I assume that he is proposing to introduce a standard in section 135. It would be an explanatory subsection in 135. Shall we put it this way, I have no confidence that any formula of words or legislative instruction will avoid controversy. There will always be different points of view. This is being asked for by the City of Whitehorse. It might be that the City of Dawson will hold a different point of view. The City of Dawson has, so far as I am aware, not encountered the problems that the City of Whitehorse has been meeting although both operate on the same section. I am bound to bring to the attention of the Council, that is my Council, the fact that the City of Whitehorse does not avail itself of the business tax provision and there is provision in section 178 and so on for preparation of a Business Assessment Roll. It is, in fact, in 179, mandatory "the assessor shall, in each year, prepare a Business Assessment Roll". This doesn't seem to be done, and, with respect, I say now as I have said in another place, part of the difficulty seems to arise because there is an attempt to make the realty assessment work double harness. It's the only place...and I think I may say this quite honestly...I have a very extensive knowledge of assessments because I have argued assessment cases in virtually every major City across Canada. It's the only place where I have not found a Business Assessment used. I think that this attempt

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Mr. Legal Advisor continues:
to avoid using it...it's not a deliberate attempt...it's just an approach...does produce this distortion and no magic formula or words...no rearrangement of section 135, is going to be the answer. Sooner or later the City has got to take a good hard look at the provisions of 178 and 179. If the City wants the wording which the Mayor has just put forward for 135, I will write it in but I am not going to offer any guarantees that they will not end up with just as many assessment appeals in a year's time.

Mr. Firth: I think the main reason that we would like to have this change is the fact in previous years, we have ran into so many Court cases where they have not accepted the Court of Revision's decision and they have taken the City to Court at a great deal of expense. It has been the Judge's recommendation that this particular section be changed to a better wording, something that can pin down the actual value of the land...rather than say a fair value...a fair value can be anybody's value on it. I think that what he is trying to tell us to do is to get this change so that we can get something a little more accurate and a little more actual. This is the only reason we are suggesting this change at this moment. In connection with the business tax, you know that we levy licences in the City in lieu of a business tax. This has been found to be not too satisfactory. We found that there has been inequalities in it. It got to the point where it was almost becoming an income tax rather than a licence so I am sure that my present Council are seriously considering changing this. We are going to repeal our licencing by-law when we get to it and we will try to institute an equitable and fair business tax.

Mr. Legal Advisor: Well, Sir, there it is. It is the wish of the City of Whitehorse. Now, do you wish to include the City of Dawson? By all means, give the City of Whitehorse what it wants. This is their responsibility, but without consulting the City of Dawson....you may feel that they should be consulted. That's my difficulty now. I will write in what the Mayor wants.

Mr. Taylor: Mr. Chairman, I don't know. Probably Councillor Shaw would be able to give you some answer on that but it seems to me that in this Ordinance, we are dealing with all municipalities in the Territory, and it would seem to me that in view of the fact that our assessment is based on the Alberta Manual, that it should go along that any other municipality should receive the same treatment.

Mr. Shaw: Mr. Chairman, I don't know all the ramifications of this particular thing. The taxation in Dawson...let's put it this way...I always thought it was too high which is a natural course of events but I don't think...at least there doesn't appear to be...I don't think there is any zoning particularly there and I do believe you have zoning in the City of Whitehorse. I think there is a big difference. I certainly wouldn't want to upset the present system that is in use in Dawson City because it does seem to be fairly equitable....although everybody complains about taxes..that seems to be their right and prerogative that we all have... There doesn't seem to be too much inequality. It seems to be pretty fair for all citizens, but I do notice that in the City of Whitehorse, in the fall I read about the Court cases and it appears to me that it is our function to try and put down the law...put the law into Ordinances...so that we will make it as clear as it is possible to make it

Mr. Shaw continues:
for the circumstances involved. If we have a law and it is continually going to Court because the Judge said it is a little too hard to read or too ambiguous or for any reasons, I think it behooves us to see what we can do to make it clear so that it works out in accordance with the wishes of the people and, in turn, the municipality who represent the people. I certainly wouldn't want to change the status quo in Dawson at the present time because there doesn't seem to be any trouble, but there certainly seems to be trouble in Whitehorse, so when these things continually go to Court, there must be something that must be required to be cleaned up. It would be much better to contact the municipality of Dawson. I would make this suggestion that...it is possible to contact them by telephone, explain this, and find out their views on the situation, or, on the other hand, we can leave the present thing in as far as the City of Dawson is concerned and see what we can do to help matters out in the City of Whitehorse. I don't know, but I do know that to continually have these Court cases, there must be something wrong some place along the line and it should be rectified and I think it is our duty to try and get it rectified in some form or other, whatever that form may be.

Mr. Thompson: Mr. Chairman, it seems that there is a divergence of opinion here. The Mayor of the municipality of Whitehorse seems to think that by changing a few words that the assessment problem will be corrected, whereas our Legal Advisor says that, with this change, he can't promise any less trouble. Now, if this change has come about through representation from the Bench, then I would think that Mr. Legal Advisor would have been aware of it and might have been able to cope with the situation. I am just wondering where the difference is. There seems to be quite a decided difference here. If these proposed changes aren't going to help any, then I can't see much point in making them.

Mr. Legal Advisor: Well, my point is simply this that it doesn't matter what words you use. Just about every formula has been tried. There will always be assessment appeals. All I am underscoring is that there is no magic formula. If the City wants to try this formula, we will write it in for them. If there are disappointments, I don't want to be singled out as the person who advised that this would secure instant success. That's all I am saying.

Mr. Firth: Mr. Chairman, this is quite true, Mr. Legal Advisor. We in the City welcome assessment appeals. We feel that this is healthy and good and our assessors are only human and they can err, and when the appeal comes before us and we can do something for them, this is wonderful.. if it can be settled in an amicable way without having to go to Court. The reason we have found in the past...what we were doing...we were using the Alberta assessment system, and we had no actual system set out Territorially or by our Ordinance whereby to assess the property in Whitehorse and we would bring in our assessors and they would show them "Now, this is how we arrived at it and so on" and yet the appellant would come in and say "Well, I don't believe this. This is the way it should be done". We had no set rule and this is what, I think, we are after now. We want this wording changed so that it will agree with the revised Statutes of Alberta and the Revised Statutes according to the wording is termed "land shall be assessed at its fair actual value and buildings at a given percentage of their fair actual

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Mr. Firth continues:

value. If this is changed, then in section 136, you are giving the powers to the Commissioner to set up a system whereby he can appoint....get the section here so I can get the right wording...We are going to add a section 136. It says "improvements to land shall be assessed in accordance with an Assessment Manual approved by the Commissioner". Now, this is something quite new. This has never been in the Ordinance before and it's up to the Commissioner then to set down whether it's going to be the Alberta system, or if we don't like Alberta, we will switch to the B.C., or maybe Ontario for all I know, but at least he has the power here to set the system under which we assess. Then, when we set up our assessment in this manner and an appellant comes to us at a Court of Revision, we can say "We have followed this system. This is the way it is done. This is the way your assessment comes out and have you got any arguments?" I think we can squelch any arguments before we ever have to go to Court to prove it. This, I think, is the main thinking behind our request for the alteration in 135.

Mr. Southam: At this time, gentlemen, I will call a short recess.

Friday, May 6, 1966
4:30 p.m.

Mr. Southam: I will call the committee back to order and we will continue the discussions. Mr. Thompson.

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Mr. Thompson: Mr. Boyd brought up an interesting point here and I don't know just when but he stated a specific incidence where a person is living in what will be or is to be zoned commercial. Now, this I understand is a private house in a commercial area. You say at fair market value and everybody is talking about this, well in fact you are taxing then on it's use and not on it's potential or it's zone. Now is this right or are we talking about two different things?

Mayor Firth: That's one way and then there is use value. I think what we are after is to put a fair market value on the land and the building will be assessed for it's use, it's being used as a dwelling and not commercial business.

Mrs. Stark: The way the judge has been doing it I can see the point Mr. Thompson. Over in this block we did have two residences and they are still there. This land has a value just like Hougen's has a value and the Taku has a value and this land has much ^{more} value than a residential. So, what the judge did was that all of Main Street, \$18,000 more as the assessed value irregardless of what was on it. Corner lots are allowed an advantage of 10% added to corner lots only. In taking into consideration that these people's buildings don't have the value that the land could be put to he put a very low assessment on the buildings, in other words, the land has the value. The land has the value depending on where it is situated.

Mr. Thompson: This would mean then in fact that a person living in a residential house in an area zoned for commercial would be assessed commercial rates on his land and use factor instituted for the house.

Mrs. Stark: This is the way it works.

Mayor Firth: Mr. Chairman, may I ask Mrs. Stark about Herb Taylor, he has a duplex in a commercial area.

Mrs. Stark: It comes up every year, this is assessed...well naturally as you get away from Main Street your value is dropping off. But, this is where the commercial has had a tendency to go on Second Avenue. Therefore, the land around him lends value to his land even if he is only using it as a home. In other words, he is not using his land properly. He wants it to go up more in value.

Mr. Thompson: Is this area presently zoned for commercial use or do we have a zoning area?

Mrs. Stark: It is not done on commercial use, it is done on the value of the land and what is around it. This is the way the judge thinks of fair actual value and this is the way he did it, what is around there and what value does this land have and not what is on it. Right now, I am not too sure that I remember correctly, Herb Taylor's area is assessed at \$4800 a lot. But it is not done according to zoning. Actually if commercial buildings go up around your land you are not being assessed according to zone but these commercial buildings lend value to the land.

Mr. Legal Advisor: If Councillor Thompson is finished I wanted to make a suggestion. I could have or will institute an attempt at setting up what the City wants by Monday. I could put a trial draft in front' ^{of} you so you could see what it

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Mr. Legal Advisor continues.....
looks like. I would suggest, I am not sure who might have a copy, everybody is quoting from the Alberta Manual and maybe everyone could see what the assessment manual has. If that could be made available and a time set for Monday then I would try and have a draft ready on this point.

Mr. Southam: Does the committee agree to this?

Mr. Boyd: I would like to direct this to Mr. Firth. This document you are working from is seven years old and there are changes coming out at this time. Do you think it wise to go ahead and work on something that is being revised, don't you think it would be wise to wait.

Mr. Legal Advisor: I am sorry, I am at fault there. I should have indicated that I would take the latest Alberta Assessment Act and, frankly, do a little bit of stealing from their assessments. I was aware that there is a later one.

Mayor Firth: The copies we have before us is just the photo-static copy of a few pages. What we actually got this for was to get the idea of the words fair actual value and so on. It is just a section of the manual. You are quite correct that it has been amended and if we are going to accept the Alberta Manual then we are going to have to accept it as it has been amended. We have got to start working somewhere.

Mr. Southam: It appears to me that we are going to have to have a short session next week and I would suggest that we stop for today and have Mr. Firth and Mrs. Stark back again if necessary.

Mr. MacKinnon: I was just going to ask a question of Mayor Firth and the wording that he has been using "land to be assessed at it's fair actual value" and buildings at a "given percentage of it's fair actual value". Are these words what you are going to use. Do Mayor Firth and Mrs. Stark agree with the amendment that they asked for. Can't we be done with this ordinance right now?

Mr. Thompson: I think there will be a little bit more discussion on this matter and I suggest two o'clock Monday be set aside for further discussion on this matter with the City Council.

.....
Mr. Southam: Gentlemen, are you agreed? I will excuse Mayor Firth and Mrs. Stark.

Mr. Thompson: I would further suggest that the Legal Advisor draw up the necessary amendments for presentation to Council at that time.

Mr. Legal Advisor: I will try to prepare something sir.

Mr. Southam: What is your pleasure gentlemen?

Mr. MacKinnon: I would move that the Speaker resume the chair and hear the report of committee.

Mr. Boyd: I second it.

Mr. Southam: It has been moved by Councillor MacKinnon and seconded by Councillor Boyd that the Speaker resume the chair and hear the report of committee. Are you agreed? Are you ready for the question. Contrary? Motion is carried. The Speaker will now resume the chair.

Mr. Speaker: I will call this Council to order to hear the report of the chairman of committee.

Mr. Southam: Council convened at 10:55 this morning to discuss Bills, sessional papers, memorandums, etc. Sessional paper #61 was discussed and agreed to in principle. Bill #6 was discussed with a delegation from the City Council. I can report some progress on Bill #6.

Mr. Speaker: You have heard the report of the Chairman of Committee. Are there any errors or corrections? Are you agreed? Thank you. The next matter is the agenda for tomorrow and what is your pleasure?

Mr. Taylor: I am just wondering what useful purpose we can serve here tomorrow morning when the administration are not here in the building during that period and I am just wondering if there is any purpose in our sitting tomorrow morning.

Mr. Speaker: To answer the question, we can discuss the matter of Labour Ordinance. It seems to be on the agenda and two hours on that could be usefully put to use. The Legal Advisor would be required on that matter.

Mr. Thompson: I think the Legal Advisor is going to be busy making changes we require to the Municipal Ordinance and I would move that Council adjourn until Monday morning at ten o'clock.

Mr. MacKinnon: I can't agree with that Mr. Chairman. I think the time has come when we must work and we must get out of here. At least, I must. I would like to work all day tomorrow if the rest would see fit and I believe that we can discuss the Labour Ordinance and there are a couple of motions yet to discuss and I think we should be looking forward to winding up early this coming week.

Mr. Boyd: Mr. Speaker, I greatly fear that one Councillor will not be intending to work tomorrow and I know that he is concerned vitally with the Labour Bill you are talking about.

Mr. Speaker: I would like to point out gentlemen that you are using the matter of adjournment very loosely, the matter of sittings of this House are very clearly outlined in the Standing Order #2. If you want to change the rules it takes the unanimous consent of Council. Now, if you want to change these rules that is the privilege of the House but at the present moment that this has to be a unanimous decision as to whether we change the rules or we don't. These are the rules and we must abide by them as much as we can or we change them.

Mr. Thompson: Mr. Speaker, I didn't realize that it took a unanimous vote, I thought it had to be the majority. Were they unanimous when they were insituted.

Mr. Speaker: To change the orders of the day, etc. it has to be unanimous, otherwise I couldn't accept the change. What refers to one section of the rules and orders would refer to the other. Possibly I am wrong but that is the way I interpret it.

Mr. Taylor: With respect to the rules, the normal use of Council in general apply at this moment. However, I would say that Mr. Legal Advisor, tomorrow, will be busy preparing material for us on Monday and if we tie him up it will just set us back. What could say be discussed tomorrow morning without the Legal Advisor.

Mr. Speaker: The Legal Advisor has informed me that anytime Council wishes his presence he will be here. I assume that he has not changed his mind overnight.

Mr. Boyd: I think we are getting out of the way. You have asked the Legal Advisor to have something here before you at two o'clock and you have many changes, changes that we couldn't agree here and he has to change the wording and so on. He has to have stenographers and has to bring them back to work. If we are going to keep him here tomorrow, then he will have to work Sunday. Now, I think this is pushing a man pretty hard. I am willing to work at something provided someone is not being hurt in the process and that something can be accomplished. I see no reason why the staff should be required to put in overtime when it suits our whim. We can take a week off when it suits our whim and we can take three days off at Easter when it suits our whim without considering other staff members and so on. I don't like the idea of pushing the Legal Advisor.

Mr. MacKinnon: I would like to say that all the Legal Advisor has to do is draft a half dozen words and he could well do that before he goes home this evening. My God, how long does it take to draft one section of an Ordinance and I am sure that it is not going to take half an hour.

Mr. Taylor: I believe that there are other issues Mr. Speaker.

Mr. Speaker: If Council wishes to take time off tomorrow I can just tell you one thing gentlemen, if it lasts more than next week then you are going to have to get a new Speaker. I have put in two months here in this House and this is all the time I can possibly put in.

Mr. Boyd: Well, then let's get the staff back.

Mr. Taylor: I can't agree to this, we are pushing the administration to drag them out for two hours and would only be an hour after orders of the day. I simply cannot see it.

Mr. Speaker: It has been moved by Councillor Thompson and seconded by Councillor Taylor that we recess until Monday morning. Ready for the question? Agreed? Contrary? The motion is carried and the Council stands adjourned until ten o'clock on Monday.

Monday, May 9, 1966.

10:00 o'clock a.m.

THE FOLLOWING

Mr. Speaker read the daily prayer and Council was called to order. All Councillors were present.

Mr. Speaker: The first item on the agenda is the matter of the correspondence. Have we any correspondence this morning, Mr. Clerk?

Mr. Clerk: I have three Sessional Papers this morning, Mr. Speaker. Sessional Paper No. 72 deals with Question No. 10, Yukon Forest Service. Sessional Paper No. 73, dated May 6, deals with Question No. 26, Position re Lands. Next is Sessional Paper No. 74, dated May 6, re Expo '67. That's all I have this morning, Mr. Speaker.

SESSIONAL
PAPERS #72
#73
#74

Mr. Speaker: Thank you, Mr. Clerk. Have we any Reports of Committees? We have no Bills to introduce. Have we any Notices of Motion and Resolution?

Mr. Thompson: Mr. Speaker, I have a Notice of Motion with reference to the Territorial Legal Department.

NOTICE OF
MOTION #50

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

Mr. Thompson: Mr. Speaker, I have a further Notice of Motion regarding the Catholic Episcopal Corporation.

NOTICE OF
MOTION #51

Mr. Speaker: Have we any further Notices of Motion and Resolution? If not, we will proceed to the next item which is Notice of Motion for the Production of Papers. We will now proceed to Motions and we have Motion No. 49, Mr. Taylor, Motor Vehicle Licences.

Mr. Taylor: Mr. Speaker, this is Motion No. 49, moved by myself, seconded by Mr. MacKinmon, that in the opinion of Council motor vehicle licences go on sale to the public at least thirty days prior to the actual expiry date of same. May I proceed, Mr. Speaker?

MOTION #49

Mr. Speaker: Proceed, Mr. Taylor.

Mr. Taylor: Mr. Speaker, and Honourable Members, this arises from some problems that have been incurred this spring and possibly even before. These were brought to my attention and that is our motor vehicle licences do not go on sale until after the old licences have expired. This, in the Territory, allows thirty days for the purchase of motor vehicle licences which results in quite a rush, but for someone who might be outside of the Territory, this is quite a difficulty because he is not able to purchase a licence until after the old one has expired and can only purchase it during a thirty day period of grace. The intent of the Motion would be to follow, at least half way, along with what British Columbia do. The B.C. licences go on sale the first of the year and the old ones expire the end of February. Here in the Yukon, the licences expire on the 31st of March and this Motion would ask that the new licences go on sale on the 30th of March and if the thirty day period of grace is allowed, then this would allow sixty days in which to get your licencing done for the year.

Mr. Speaker: Is there any further discussion in relation to Motion No. 49?

MOTION #49 Mr. Boyd: Mr. Speaker, I don't know why Administration is carrying on their business in this way. It does seem to me that if something is due on the first of May, or the first of any day, if it is appearing in Court, if it's paying a note, or even the lease on your land, when it's due, you'd better get in there because you will get a second notice telling you about it, but here we adopt the attitude that it is fine. Just forget about it. It's unorthodox. I do know that there have been people outside wanting to buy their licences. This has happened in years gone by. They can't get them, and I would like to know why they can't get them. They tell you your licence has expired and they refuse to sell you a licence so I think this Bill has some merit. Unless Administration can come up with something that tells me that I am all wrong, I think I will have to vote for it.

Mr. Speaker: We do have the Registrar of Motor Vehicles. Does the Council wish that he explain what reasons there may be. Is that agreed?

All: Agreed.

Mr. Speaker: Mr. Clerk, in your capacity as the Registrar of Motor Vehicles, would you be able to explain why licences cannot be purchased until after the deadline?

Mr. Clerk: Yes, Mr. Speaker. This is entirely a brainchild of mine, I might say. In the past, for years, I don't know how many years back it goes, all motor vehicle licences used to go on sale the middle of February and came the end of March, everybody was given an extra two weeks in which to get their licences. In other words, they were extended for two weeks because there was such a mad rush the last few days. It doesn't matter what date you put the licences on sale, be it January 1st, or even December 1st, the majority of the people will wait until the last two or three days before the actual expiry date before they pick them up. This is proven the world over and not only here. It meant that, when these licences went on sale the middle of February, all the Territorial Agents in the Territory...Haines Junction, Dawson, Mayo, Watson Lake, and our own office, had to keep two cash sheets - one which went into prepaid revenue for the new issue of licences and they also had to keep another cash sheet for all the current business that went through. In other words, the old licences...we always had to argue with customers who came in and wanted to buy, for instance, their new 1966 plates, in the middle of February. They are not valid until the first day of April. They cannot be used unless they have had 1965 licences. In other words, they would have to buy two licences if they wanted to put the new ones up, and as I said, all our Territorial Agents had to keep two active cash sheets for a month and a half. The Territorial Treasurer's office had to keep the revenue from the new licences separate from the current year's revenue. Then, at the end of the month, or the end of the fiscal year, which is March 31st, the Territorial Agents then would have to turn in their two cash sheets for that month. The Territorial Treasurer's office would have to transfer all the funds from the old year to the new year and then we had so much pressure that we still had to give them another two weeks extension into April. In other words, the expiry date was changed, quite lawfully, to the 15th of April, nearly every year, so I suggested that rather than do this, why don't we give them a full month's extension. Now, mind you, I got this idea from all the rest of the Motor Vehicle Administrators in the Dominion. Nearly every Province gives

Mr. Clerk continues:

an extension past their actual deadline...some as much as three months. I think Ontario goes three full months past the actual expiry date which is written on their licence certificate. I suggested that we should do the same thing - not sell any of our new licences until April the first. Then, it would do away with all this duplicate bookkeeping that everybody in our office had to do. I suggested it to the Commissioner and to the Territorial Treasurer and it was received quite favourably by everybody. I think it has been working out extremely well. We have isolated cases of people who have gone out on holidays say in December, or in January, or even in February, and they might be out for a month. They are stopped and their licence, operator's licence, says "expires March 31", but every law enforcement agency in Canada, every Provincial Registrar, every Registrar in the Northern Half of the States and most of the Southern States who do correspond with us are notified of our actual expiry date and all the police cars have a list. If you go into any one of the R.C.M.P. patrol cars on the highway, he will have a list a mile long and it covers every State in the Union and every Province in Canada, telling you what the actual expiry date is because they are all extended past the actual calendar day. But, in order to get over these isolated circumstances, we have, over the last two years... mind you this practice has only been carried on for the last two years, possibly three, I'm not quite sure exactly when we made the change, but, anyway, this problem has come up so I have told people that if they are going out after we have got our new licence plates here, come in and see us, give us a letter to the effect that they are going to be on holidays and they won't be back before the end of March....come in, give us a letter, and we will give them their licences so that they can take them with them, but they promise me faithfully that they won't display them until the first of April because we don't want everybody in the Territory to know that they can actually buy them before they go on sale. We have done this but I hate the thought of the public knowing it because it really shouldn't be done, but to stop some of the beefs, we have tried it. Mind you, it doesn't work too well because now we will probably get everybody in the country saying they are going on holidays and need their licences early. It's purely a matter of efficiency in the office as far as I am concerned. We don't have any terribly strong feelings about putting them on sale earlier, but it is a practice that is one in every other province and I could go so far as to say that all the doctors, all the lawyers, all the business houses in the Territory, renew their licences sometime during the first month or second month of the fiscal year. I don't think that there is one of them....I shouldn't say none, but very, very few of them....renew their licences before the actual expiry date. They are always given a month's extension, and it's quite legal under our Ordinance. I don't think I have to say any more.

Mr. Speaker: Thank you, Mr. Clerk. Is there any further discussion in relation to Motion No. 49?

Mr. Taylor: Mr. Speaker, if there is no further discussion, I did have some closing remarks on this. I think it would be well to note that although this was established with good intent by the Administration, what we are really doing here is inconveniencing the general public in order to convenience the Administration. Though there seems to be some merit in what is said, I don't think that this is necessarily the policy that should be adhered to in the

MOTION #49 Mr. Taylor continues:
future. I think that it is well to note that British Columbia have a sixty day period...a minimum sixty day period..in which to buy licences and that is prior to the expiration of the licences from the year before. In the Yukon, apparently we used to have the total of sixty days, including the days of grace, and now we have cut that down to thirty days so we only have half that period of time. I think that's well to bear in mind, and it seems to me a fairly haphazard way of administering licences and I would think that people should be able to buy licences before their old ones expire so that they can affect the change on the appropriate date and change their licence plates on their car and I would ask your full support in not only the acceptance of this Motion, but I would ask the support of the Administration, if approved, to implement some such program.

MOTION #49
CARRIED

MOTION CARRIED

The Motion was carried with Mr. Southam contrary.

Mr. Speaker: That completes the Motions. Have we any questions this morning?

Mr. Watt: Mr. Speaker, if you wish, I am prepared to go ahead with Motion No. 43.

Mr. Speaker: By all means. I have gone past that so many times, it has almost become a habit. Proceed Mr. Watt.

MOTION #43 Mr. Watt: Mr. Speaker, Motion No. 43, moved by Mr. Watt and seconded by Mr. MacKinnon, re Metropolitan Planning Committee. It is the opinion of Council that the Whitehorse Metropolitan Committee be disbanded and (1) Jurisdiction over land within the City limits of Whitehorse be controlled and developed by the Mayor and City Council of Whitehorse. (2) Jurisdiction over land beyond the City limits of Whitehorse be controlled, developed and zoned by the Commissioner-in-Council taking into consideration the implementations of the Whitehorse Metropolitan Plan. (3) Problems of mutual Territorial and City interest can better be resolved by the elected City and Territorial representatives. May I proceed, Mr. Speaker?

Mr. Speaker: Proceed, Mr. Watt.

Mr. Watt: Mr. Speaker, for some of the newer Members of Council, I will just mention that this Whitehorse Metropolitan Planning Committee was originally set up to study the Whitehorse Metropolitan Plan. It was composed of anywhere from twelve to fourteen members. I will read you a list of the names that were on the meeting of June 22, 1964. This was one of the first meetings. This Committee was set up. There were appointments by the Commissioner and it was set up to study the Plan and to make recommendations to the Commissioner with respect to the implementation of the Whitehorse Metropolitan Plan and this they have done. They have completed their work. When the Committee was set up, the Chairman was Mr. Smith, Jim Smith, and the members that were present at that particular meeting...this is a pretty good cross-section...there were three Territorial Councillors, three City Aldermen and six appointed...three from the Chamber of Commerce and three off the street. The members were Miss Montgomery, Alderman; Mr. H. Boyd, Territorial Councillor; Mr. Scott, Chamber of Commerce; Brian Daniels, Alderman; Mr. Philipsen, appointed from the White Pass; Ken McKinnon, Territorial Councillor; Mr. Bill Drury, Chamber of Commerce; Mr. Howard Firth...he was a member of the Chamber of Commerce Committee at that time; Paul Lucier,

Mr. Watt continues:

Alderman; Stan McCowan, Porter Creek; and John Watt, Territorial Councillor. There were twelve on this particular Committee at that time, that meeting, and they discussed recommendations. The Committee went through the Metropolitan Planning Report completely and they did make recommendations to the Commissioner and some proposals, they adopted, some they didn't adopt. There were very few that they didn't adopt. After these meetings were over, the Territorial Council here passed...I think it was eight or nine recommendations of this Whitehorse Metropolitan Planning Committee Report. We have adopted these and we are away ahead of.... the action that the Territorial Council has already taken is, I would say, two years ahead...the action we have taken now is two years ahead of what is being done, what is being planned immediately. All the recommendations in Lot 19, implementing that and putting it into production..the Territorial Council had asked this recommendation about a year and a half ago. The Planning Committee itself has made recommendations and some of these have been adopted by the Territorial Council...a good percentage of them and some have not as yet. I think it is the intent of the Territorial Council not to adopt some of these until some of the steps that we think should go ahead are developed first...one was Lot 19 that we thought should be one of the first things. I think the Whitehorse Metropolitan Committee has served a useful purpose. It has got the opinions of not only the Territorial Council and the City Aldermen, but also of Chairman Smith and the Chamber of Commerce and different influential groups in the Territory with respect to the development of the Metropolitan area. There is one thing that I notice that is lacking in this Whitehorse Metropolitan Planning Committee and that is the only basic representation that the ordinary man on the street has is through the Territorial and City Councillors and Aldermen. I think that this Committee has served its usefulness now and I believe that all it is doing now is that they are having a Committee whenever they think something should be brought up and this is probably once every six months or whenever they have to have one, call one. They send out this letter and go over some particular thing. The last time it was the closing of a street within the City of Whitehorse. I think this can be very capably handled by the City itself. If it is something like Lot 19, where the Territory, by both the location of it and the financing of it, where the Territory or the City are both involved, then the City and the Territory can get together.. maybe once every year, once every two years, or something like that...if we have to get together...and in two hours we accomplish more than we could with ten or twelve hours of meetings with a Committee that has no real authority. These things can be resolved by both of us and other problems that are beyond the City Limits and are not associated with the development of the City, these can be resolved by the Commissioner by a normal motion from, probably a Whitehorse Councillor, can be introduced and the problem can then be resolved here but I don't expect many of those. I think what the Metropolitan Planning Committee does now is put quite a bit of extra work on our shoulders. If this Whitehorse Metropolitan Committee wants to have jurisdiction over land beyond the City Limits of Whitehorse, I suggest that any one of these men...they are all good men...many of them have spent time on Territorial Council...they can run again. Right now, if a problem comes up...if the Whitehorse Metropolitan Planning Committee and the Commissioner decide on an issue and resolve it and it's not satisfactory to the people of the area, they are going to

MOTION #43 Mr. Watt continues:

come complaining to the Territorial Councillor and the Territorial Councillor has had very little to do with the question that was up at the time. I think we are elected here to do that particular job and I think that we should do it and not pass it on to this influential group, you might say; and I think that the Commissioner-in-Council and the City can adequately do this work. I have talked to the Mayor and I have talked to several Aldermen of Whitehorse, and they think that those things within the City's jurisdiction can be handled by them just as capably as by another Committee. They have confidence in the Territorial Council and I have confidence in the City. It's a very simple matter for the City and the Territorial Council to get together in a case such as Lot 19 and there are very few cases like that. I would like to have support for this particular Motion, Mr. Speaker.

Mr. Boyd: Mr. Speaker, I would like to ask Mr. Watt a question. He states that he has talked to the Mayor and I think he mentioned others concerning this. I don't quite follow Mr. Watt's reasoning. I don't think he has said all there is to say. I would like to ask him, did somebody else approach you concerning this Committee and you are now taking the attitude that you have approached somebody? Is it by any chance in reverse to what you have said?

Mr. Watt: No, Mr. Speaker, I can assure Mr. Boyd that I made this Motion and then I asked Mr. Firth and a couple of the Aldermen what they thought of the future of this... if it could serve any useful purpose in the future. I did this shortly after the success we had in a very few minutes here, possibly an hour and a half, in the resolving of Lot 19 and doing something about it. To me, this accomplished much more in a short space of time than this Committee could have done in twelve hours of work and, to me...when I found out how easily some of these were resolved that with with the mutual consent of the City and the Council.. I actually saw what happened there and how successful it was with very little time put into it...not wasted time. We actually did something in a short period of time and then I made this recommendation that this Committee be resolved after that. So, this actually emanated from myself and it was as a result of the discussions and the success we had with Lot 19. This is what sparked it. I asked Mr. Firth if they had any need for the Committee and he said he thought it was just making extra work as far as the City Aldermen were concerned and that everything that came up in it...as far as the City was concerned...their particular part of it...they would just have to duplicate everything anyway and they have already gone over every recommendation in the Report. So, in answer to Mr. Boyd, this was sparked entirely by myself and then, before I put the Motion in... it was sparked, as far as I was concerned as a result of what we did with Lot 19 and the success we had with it, and then I asked the Mayor if they had any...if he saw any need for it and he said that he didn't. He felt that it was time...we are just making extra work for ourselves and this is what sparked it. Does that answer your question, Mr. Boyd?

Mr. Boyd: Yes, it answers my question. I'm not so sure this Committee should be abandoned. It is all very well to say that what we accomplished here by meeting the City... if this Committee is abandoned, then there will be no Territorial Councillors on a Committee that concerns at least half

Mr. Boyd continues:

of the Metropolitan Plan. What Mr. Watt, I think, is saying is that the City should decide something without the advice of the Council. I am not saying they can't, but I think that it would still be advisable, and certainly do no harm, to have Territorial Councillors on that Committee and know what is going on in order that they may advise the Territorial Council itself, if necessary. I have seen things that we would like to happen, and have happened, that by the so-called management, that the public by 'n large was not very happy about. This is not being critical or anything else. It just happens to be facts. Mr. Watt mentions that.. what he did say was that management is two years behind what this Territorial Council has agreed to. So be it. Management is four or five years behind in all kinds of things all the time. That doesn't say that you should abandon the Council, or the Committee. The City weren't...it wasn't deemed advisable to leave it in the hands of the City and Administration when it was first implemented and to study it. So, I think that the Committee should...it was understood at the time that this would be a long-standing Committee, replaceable by those who may disappear for one reason or another and that, from time to time, their advice could be sought, and I think it should be left.

Mr. Thompson: Yes, Mr. Speaker, it has been noted that the eventual problems that are arrived at by various bodies usually end up in front of Territorial Council, but I would draw to the assembled gathering the fact that on this imposing list that Mr. Watt read out were the three Territorial Councillors, at that time, for Whitehorse and so they had a voice in all of the matters that were brought up. They were able to present their feelings, their views, and conceivably, with the backing of their constituents. This Committee was set up, and within their Terms of Reference, was primarily to study the Metropolitan...the Whitehorse Metropolitan Plan. Now, there is still much of this Plan to be implemented. They were to advise the Commissioner of the Yukon on what recommendations that were listed in the Plan should be implemented and advise the method, the timing and the order of implementation. They were to advise the Mayor of Whitehorse what recommendations as listed in the Plan should be implemented and advise of the method, the timing and the order of implementation....advise the Commissioner of the Yukon on general policy to be followed in the zoning of land within the Metropolitan area, which is beyond the limits of the City of Whitehorse.....to advise the Mayor of Whitehorse on general policy to be followed in zoning of land within the City of Whitehorse. To advise the Commissioner of the Yukon on general policy to be followed in disposal of land within the Metropolitan area, which is beyond the limits of the City of Whitehorse. To advise the Mayor of Whitehorse on general policy to be followed in disposal of land within the limits of the City of Whitehorse. To advise the Commissioner of the Yukon on the method of administering the recommendations implemented under the terms of the Whitehorse Metropolitan Plan and to advise the Mayor of Whitehorse on the method of administering the recommendations implemented under the terms of the Whitehorse Metropolitan Plan. What this, in fact, boils down to Mr. Speaker is that this is still strictly an advisory group and they feel that with the numbers concerned and the representation from the various organizations that this can be more fully realized and for this reason I will vote against the Motion because I feel that it is still a very necessary group and I think a worthwhile one.

MOTION
#43

Mr. Taylor: Mr. Speaker, I had waited until I heard what the other Councillors from Whitehorse felt in respect of this. For my own part, I feel that the first...item one... the jurisdiction over land within the City of Whitehorse that is not private land...that is to say Government, White Pass, or etc....I believe they have a right to look after the disposal of their own land. The City...it has always seemed to me...has always had the right of negotiation in respect of any land within its boundaries. The land beyond the City Limits of Whitehorse may involve the Federal Government as well as the Territorial Government in which case I am sure that the Federal Government may not wish, under the present Terms of Reference, to give us control over their land as yet although we would like to see this happen and, thirdly, that the problems of mutual Territorial and City interest, can better be resolved by the elected Territorial and City representatives....I can't necessarily entirely agree with this. I feel that the Administration are competent and capable of negotiating in respect of the Territory and possibly to a better degree than the elected representatives at this table. Consequently, I would be contrary to this Motion as well. I feel that the Metropolitan Planning Committee, for better or for worse, has got to remain and this will accord the protection to the people of Whitehorse and the Territory that their interests are best looked after, protected, and I would certainly be contrary to this.

Mr. Speaker: Mr. Watt, do you wish to close the discussion?

Mr. Watt: Yes, Mr. Speaker, I may just as well. It appears as though it is going to fail anyway. I would just like to remind the Member from Whitehorse East that when something comes up about street closing or something like that and it is done automatically with the approval of this Committee, the Whitehorse Metropolitan Planning Committee, then don't come crying to me; and if something comes up about Porter Creek and it is done by Order-in-Council, with the approval of the Whitehorse Planning Committee, and Mr. Thompson comes and says "Well, look. We didn't have much to say about this", well, he has voted his right to say about it away and this is what I am trying to tell him. He may have one say, but he's got one say in twelve as a Member of that Committee and that say isn't very loud. This is what we are voting away. Mr. Boyd says that it is just an advisory committee. I will read you a title....."Commissioner's Order 1966-65, Area Development Ordinance. The Commissioner of the Yukon Territory pursuant to the Area Development Ordinance is pleased to and doth hereby order as follows:"....thirty-two pages of Ordinance and you say this is only an advisory committee? This is far more than an advisory committee. This is a Committee that is putting these thirty-two pages into effect. Not only that, but they would like to put it into effect by May 27, 1966. In other words....a meeting of this Committee, and you have not much say about it....one point in this thing.. anybody within a ten mile radius of Whitehorse who wants to cut down a tree with a diameter more than two inches has to get a permit from the Commissioner, and if they don't, the fine is \$25.00 a day or so many days in jail. This is what we are voting on and this is what we are turning over. We are turning over this Area Development Ordinance for one thing and it's not merely advising. This is an Ordinance that we are turning over and then if you want to appeal, you've got a right to appeal, certainly. You can appeal to a Board that is set up of three members that's appointed by the Commissioner. Now, what three members is he going to pick out? Probably pick out three out of here...out of this list. Anyway, I can live with this as well as anybody else. I have seen this Whitehorse Metropolitan Plan and it has...for all intents and purposes...the Administration has

Mr. Watt continues:

been trying to put it into effect...at least the parts of it that it wants to put into effect and keep into effect.. for the last two years. If you look at those names there, I can name about four violations that have been contrary to the wishes of the Metropolitan Planning Committee and the greatest violators are some of those that are on the.. this list here. This Committee is made up of Whitehorse citizens - Mr. Smith, Miss Montgomery, Mr. Boyd, Mr. Scott, Mr. Daniels, Mr. Philipsen, Mr. McKinnon...Ken McKinnon.. Mr. Drury, Mr. Firth, Mr. Lucier, Mr. McCowan. You are going to ask these people....90% of this Committee has a pecuniary interest in the development of land outside the particular baliwick in which they are passing these Ordinances. I think that their pecuniary interest alone makes it so that they cannot freely think of Porter Creek and McCrae and every other place because they want to concentrate everything down around their own business area. It's just human nature. I see, right now....this particular question that Mr. Boyd is worried about, I think, is a closing of a street and when this came up in this Metropolitan Planning Committee, I said at that time that I think this is a City problem. It doesn't border on the Territorial road and it is something that is completely internal. At that time, I abstained from voting...for that reason and I think Ken McKinnon did too. He abstained from voting for that particular reason. Some of the City Councillors abstained from voting on a couple of issues that didn't include...had very little jurisdiction over the City so they recognized that they wanted to work within the framework within which they were elected too, but, anyway, when these Regulations come into effect, and they are...they are going to come in in spite...this Committee set-up...they have probably already agreed to this...or some of them....when this comes into effect and the complaints start coming in, they are not going to come in to these people here. They are going to come in to the Territorial Councillors. They are going to come in to the City Aldermen. They are not going to go in to Jim Smith. They are not going to go in to Mr. Scott, Mr. Philipsen, Mr. Drury, and other Members of the Chamber of Commerce. These complaints aren't going to come in there. They are going to come in to us and we are going to say, "Well, it was recommended by the Whitehorse Metropolitan Planning Committee", and we turn around and say "Well, we don't have any jurisdiction over this"? Well, our only excuse is that we voted it away....any jurisdiction that we had, we turned it over to the Commissioner and the Whitehorse Metropolitan Planning Committee. This is what we have turned it over to. This is what you have done. All your Regulations, your zoning Regulations in Porter Creek...and as far as Mr. Taylor is concerned, he missed the point entirely. He said that we don't have jurisdiction over private land. He's perfectly right. We are not trying to tell somebody what to build...what kind of house to build, but if it's within the City Limits, they are zoned. You've got a commercial zone. You've got a residential zone and the City has jurisdiction over that... whether it's White Pass land, whether it's John Watt's land, whether it's Territorial Government's land, or anybody else's land. Mr. Taylor missed the point entirely. He's miles out. In a way, this is what you are voting away and this is what, in effect, you are voting in and you are voting your jurisdiction over the Area Development Ordinance to a Committee set up....the Chamber of Commerce largely and the Commissioner. There are some recommendations of that Whitehorse Metropolitan Plan that the Territorial Council didn't recommend and they didn't recommend for a specific reason. Just because it wasn't

MOTION #43

Mr. Watt continues:
 introduced...they weren't introduced by a Territorial Councillor for a specific reason because we didn't want it introduced yet, but this Ordinance is instituting this. Obviously, the Motion is going to fail and this, in other words, assents....in effect, it assents to this entire Ordinance - thirty-two pages of Regulations and it just votes away the jurisdiction the Territorial Council has over a ten mile radius in Whitehorse. I have heard people here mention that we should have jurisdiction over land, whether it's Government or Territorial land. Well, we are just voting away jurisdiction over about 80% of the commercial and residential property in the Yukon Territory. We are just voting away jurisdiction over a ten mile radius of Whitehorse. If that is what this Council wants to do, then when these complaints come to me, there is nothing I can do except the Territorial Council voted away any jurisdiction they had over this and they voted it to the Whitehorse Metropolitan Planning Committee which is composed of, mainly, of the commercial businesses in the two blocks of the City of Whitehorse. So, when it comes to developing, say, McCrae....if they need a little bit there.. or Porter Creek, then this is who we can turn to and I would suggest that any Territorial Councillor, in the future, that gets any complaint....If I get any, I am just simply going to refer to these twelve people and the Commissioner. This is the only thing I can do. I had a call a couple of days ago from one of Mr. Boyd's neighbors who was concerned with a particular item. From now on, they don't have to call me. They can call twelve other guys. Once they call all eleven of them, they can call me too because I have no more authority over it than these other eleven people and the Commissioner.

MOTION #43
DEFEATED

MOTION DEFEATED

The Motion was defeated. Councillors Taylor, Boyd and Thompson were contrary.

Mr. Speaker: Now, gentlemen, there was one matter I wanted to bring to your attention. I am advised that the Mayor has some important business this afternoon and he wonders if Council would agree to changing the meeting in relation to this Municipal Ordinance from two o'clock this afternoon to two o'clock tomorrow afternoon.

All: Agreed.

Mr. Speaker: Would you note that, Mr. Clerk, and so advise the Mayor. At this time, I will call a short recess.

Monday, 11:00 .m.
May 9, 1966

Mr. Speaker: I will now call this Council to order. Mr. Boyd.

Mr. Boyd: I would like to ask a question at this time. Would it be in order? I wonder if Council would consider discussing our possible agenda for the balance of this week. I think it is time we come to a position to where we know what we are going to do and what we are going to do exactly for the rest of this week with a view to winding this up. I think we must come to something now. I have a couple of proposals that I would like to make if Council would be prepared to discuss it.

Agreed.

Mr. Speaker: You have heard the question put forward to me and this is something for the Council to dispose of. Are you agreed to discuss the matter of the agenda and when we should complete this Council Session. Proceed Mr. Boyd.

*Disc.
of
Agenda.*

Mr. Boyd: First of all, we have the matter of the Game Ordinance which has to be changed and we are going to spend quite some time on that. Even after we have spent the time I understand that it will be in poor phraseology, in other words, the members of administration are not happy with its wording and so on. It has been done in too much of a hurry and will have to be looked at again and will have to be revamped. This is the opinion of administration, and therefore it would seem to me that this Bill would be better left alone and give administration time to put it up properly and deal with it at a later date. We come along also to this Labour Bill, if we are going to go into this we are going to have to make up our minds that we are going to have to stay here next week, it is just as simple as that. For my money, it would seem to me that this Bill may have been produced in a hurry too. It certainly is not a Bill that has had all the consideration it would have gotten had it come in the normal manner and therefore I think we are going to run into long obstacles or long delays in the way of amendment and so on. I think this Bill could possibly left to Fall and I think really it will have to be until Fall. We haven't talked about the Five Year Agreement yet. I think if we are going to look at it we should say that we are going to spend one day at the most and call it quits there. Maybe we might want to work an hour or two at night during this week to get out of here but we must do something. I think we should determine the end of this Council at this time.

*Bill
#*

Mr. Watt: Mr. Speaker, I wholeheartedly agree with Mr. Boyd. There has been some poor drafting in the Game Ordinance and I suggest that we send it back to be redrafted. There is no point in having it now and then having to have the darned thing drafted again and as far as the private member's Bill respecting hours of work, I have showed it to several officers of unions in town and they are not too happy with quite a few things. I think there is a lot of redrafting to be done, it makes exception after exception and as the Territorial Council has spent quite a lot of time in the past on a Labour Provisions Ordinance I think it is only right that we accept this Bill from the administration and not as a private member's Bill. I think the whole Council and administration should work together and I don't think that Mr. Taylor and Mr. Hughes should overcome or supercede the work of Council. There are many things in it that will have to be changed and I think that we are better off to wait until Fall and then pass good legislation instead of slipshod legislation that would cause more harm than good. If this Bill does come up it is our duty to see that it is done right and properly and this is not going to be done in five minutes.

Mr. Watt continues.....

About the Five Year Agreement, I agree with that too as I think we are going to meet a little earlier in the Fall to really settle this and I suggest that it isn't too many months again until we will be meeting again. I would like to defer that to the Fall session and when we do we could give all three subjects priority as the first Ordinances to come before us. I think it will save us nothing but time.

Mr. Taylor: Mr. Speaker, I am sure in favour of seeing some time saved and some useful work done here but I am just wanting to say in relation to the Game Ordinance, initially our request for amendment was because we have been sluffing it off session after session. The administration have done this in respect to game and at least we will be in a position to offer some instructions to the draftsman. I am sorry to see the Game Ordinance come to a head and then the members not wish to discuss it. In regards to the Labour Bill, this is a Bill that is badly needed and was agreed to except for one item at the Fall Council. This embodies the work of Council last Fall and I am not prepared to accept the point of view that we sluff this off until Fall again. This legislation was needed years ago and as most members know as most have cried for this bill or a portion of it for years. I would like to see this proceeded with. The unions are not running this Territory, the Territorial Council and the people are running this Territory and I think this should be made abundantly clear to all concerned who feel otherwise. The third item is the Five Year Agreement, last Fall we stood here and got into the same position of "it's getting late and I want to go home". Well, I want to go home too and just as much as everyone else. I think we can deal with this as long as we can stay away from this so called "nit-picking" and get private interests out of it and start dealing with these things for the general benefit of the Territory as a whole. The Five Year Agreement evolves itself around a sum of money of \$100,000,000 or thereabouts and this is of great importance of the Territory as it involves the Territory for the next five years. Believe me, having gone through the negotiations of the last agreement I am sure that it is something you won't want to walk into stone cold or otherwise you say "carte blanche" to the administration---you give us what you think is right and forget about the people--all for the sake of going home. No-one wants to go home as much as I do, however, there is one thing, we are here to do a duty to the public and a service to the Territory. That is why we were elected and that is why we are here. Those are my comments.

Mr. MacKinnon: I would like to ask Mr. Taylor why is it a private member's Bill or is it the work of Council.

Mr. Speaker: Order, order. Will you sit down and let Mr. Taylor answer the question please?

Mr. Taylor: This is the work of Council Mr. Speaker. There was to be a Bill introduced at this Session and administration saw fit to not introduce it and I have had it compiled as a private member's bill so that we might deal with it and approve a labour law.

Mr. Speaker: Does that answer your question Mr. MacKinnon?

Mr. MacKinnon: Not exactly, this is sort of taking over the duties of the whole Council when Mr. Taylor presents the Bill in this manner. This Bill was discussed many times at Council and the administration does not see fit and it seems

Mr. MacKinnon continues.....

they did not have clear enough discussion to bring forth a Bill in regards to the Labour Ordinance, and so Mr. Taylor apparently did see this and brought this in as a private member's Bill. I think this Bill is far too important to be brought in in such a manner as this. It is far too big for one little head.

Mr. Boyd: Aren't we off the subject? We are trying to decide when to go home and what we are going to do.

Mr. Speaker: That is quite correct but I think at this time I have this as a suggestion, that Council do indicate when they wish to conclude this session and we can go on from there.

Mr. Southam: Mr. Speaker, I am not going to argue too much about the Labour Bill but I do know it is sadly needed in this Territory and has been sadly needed for years. What are you afraid of? I might ask everybody that question? It is a Bill that we practically brought in here last Fall. there are very few changes that I see. If you wish gentlemen you will get a Labour code forced on to you whether you want it or not and it will come from the unions. If this is what you want just toss it out and I assure you that you are going to get it. I know what I am talking about.

Mr. Watt: Mr. Speaker, I would like to answer that question of Mr. Southam's, asking what we are afraid of. I am not afraid of anything. I think that we have a Labour Provisions Ordinance and I think we should hear from the administration and not from Mr. Hughes and Mr. Taylor. I asked the Commissioner the other day about this and he said that he had expected one in the Fall. Have you read this Ordinance.

Mr. Southam: I certainly have.

Mr. Watt: There is not too much there to the credit of the Territorial Council and the administration.

Mr. Southam: Order please Mr. Speaker?

Mr. Watt: A good percentage of it is turning over jurisdiction to the Commissioner and I think if the administration didn't see fit to present it themselves I don't see how Mr. Hughes and Mr. Taylor can see fit to present it themselves. I think that the whole Council is involved and if someone has a real inside track with the administration and can get private member's public bills drafted. There is something wrong with this Council and I think that it is time we had a good look at ourselves. Mr. Speaker, I think this is part of the point Mr. Boyd brought up and I think we should request this formally from the administration to be presented in the Fall, not by one or two people. We can put it in on the agenda first thing in the Fall.

Mr. Taylor: Mr. Speaker, this is just evidence of lack of responsibility in respect of Council. It is the duty, not the prerogative of any member to raise a private member's bill at any time during any legislative session. Secondly, we have got to have this vendetta against members of the administration stopped at this table. This would save us much, much time and would insure that we could get our work done expediently. Here is another expression of a vendetta.

Mr. Watt: Order Mr. Speaker. I want that withdrawn from the record.

Mr. Speaker: Gentlemen, will you please sit down, now let's get this down to a rational way of thinking. We are not getting anyplace and this refers to the members on their feet. The subject matter is when we should conclude this Council and I feel that once that has been determined then I think I would be prepared to form a committee to lay out the agenda so that we cover the work to be concluded in that period of time. Would you keep this to the matter of when we should conclude the deliberations of this Council.

Mr. MacKinnon: Yes, Mr. Speaker, I would just like to clarify one point. My reason for setting this bill aside...

Mr. Speaker: Please Mr. MacKinnon disregard the Bill, we are talking about concluding the Council.

Mr. MacKinnon: What are we to talk about, do we have anything to do with it. Well then you run it.

Mr. Speaker: Order.

Mr. Boyd: Mr. Speaker, I feel that Council should say today that we will prorogue on Friday and we should arrange our affairs to do just that. I agree with your idea of a committee. We will deal with what we feel can be dealt with in that period of time. Otherwise, Council has the right to say that we will stay here but you must make your mind up.

Mr. MacKinnon: I have a right to speak here.

Mr. Speaker: Mr. MacKinnon, will you please sit down.

Mr. MacKinnon: But I will get back up.

Mr. Speaker: Order Mr. MacKinnon, we can go on discussing Bills, we will discuss at this moment on what we should attend to. If we go on like this it would take all day. I asked for a proposal on a date and then a committee could study and present to Council what they considered the Bills that should be taken up in the time we have. I think that is the only way we can resolve this matter. There is no necessity for people to indicate that they can't have their say but this Council could go on for hours and hours. We first must determine how long we intend to sit at this Session. Will you please keep your remarks to that area and we will progress.

Mr. Taylor: In relation to the work we have ahead we have those Bills enumerated this morning. If we have them thrown out this would leave the sessional papers and a few minor bills and that would mean we could prorogue tomorrow or the next day. It all amounts to what we are going to accept.

Mr. Watt: I agree with Mr. Taylor, the member from Dawson Creek and I therefore make a motion that we prorogue on a certain date, on Thursday. I think we are going to have to make a deadline sometime and give priority to stuff we can't get through in the Fall.

Mr. Taylor: Mr. Speaker, I would just like to point out that this is quite unusual and is quite inflexible in setting the prorogation date. It holds you to a prorogation date and we may have to sit here after we have concluded our work and on the other hand we might have to sit beyond that.

Mr. Speaker: Do I have a seconder to the motion?

Mr. MacKinnon: I second the motion.

Mr. Speaker: It has been moved by Councillor Watt and seconded by Councillor MacKinnon that this Council prorogue on Thursday the 12th of May. Are there any discussions or are you ready for the question?

Mr. Thompson: Mr. Speaker, in view of what has been said I believe that if the various Bills are not discussed or the Five Year Agreement it has been intimated that we could finish tomorrow. I, like everyone else, would like to get out of here. I think by carrying on until Friday we could clear up everything tomorrow and would give us three days to discuss one or two or three of these items and it might help matters in some way or another. This is merely a suggestion, if things can be wound up tomorrow this can give us three days to hash out some of ^{the} other things before we prorogue.

Mr. Speaker: Are you ready for the question? Are you agreed? How many are agreed? Those that are contrary? That is three for and three against, I will agree with the motion and the motion is carried.

Mr. Boyd: If I might once more Mr. Speaker, I notice that Mr. Thompson had a proposal and I certainly am not against it but this Council could sit for two hours or so and could really crowd in another three hours a day here if Council is so concerned. I am only offering this as a thought.

Mr. Taylor: Well Mr. Speaker, I guess you might as well, you have committed yourself to Thursday and this is simply dragging this out.

Mr. Speaker: I think we will be kept fully busy until Thursday. Is it your wish at this time to have a program agenda committee appointed by myself or are you prepared to continue as we are.

Mr. Boyd: I think we can continue with understanding.

Mr. Speaker: Thank you. We have a few public bills and orders to process. We have Bills 16 and 17 for first and second reading.

Mr. Boyd: I move that Bill #16 be given first reading.

BILL #16

Mr. Southam: I will second that motion.

FIRST
READING

Mr. Speaker: Moved by Councillor Boyd and seconded by Councillor Southam that Bill #16 be given first reading. Are you ready for the question? Agreed? Contrary? Motion carried.

MOTION
CARRIED

Mr. Boyd: I move that Bill #16 be given second reading.

Mr. Southam: I second that.

SECOND
READING

Mr. Speaker: It has been moved by Councillor Boyd and seconded by Councillor Southam that Bill #16 be given second reading. Are you ready for the question? Agreed? Contrary? The motion is carried.

Mr. Boyd: I beg leave to move that first reading be given to Bill #17.

BILL #17
FIRST

Mr. Southam: I second it.

READING

Mr. Speaker: It has been moved by Councillor Boyd and seconded by Councillor Southam that Bill #17 be given first reading. Are you ready for the question. Agreed. Contrary. The motion is carried.

MOTION
CARRIED

BILL #1 Mr. Boyd: I beg leave to move that Bill #1 be given first reading as amended.

Mr. Southam: I second the motion.

FIRST READING Mr. Speaker: It has been moved by Councillor Boyd and seconded by Councillor Southam that Bill #1 be given first reading. Are you ready for the question? Agreed. Contrary. Motion carried.

Mr. Boyd: I beg leave to move that second reading be given to Bill #1.

SECOND READING Mr. Southam: I second the motion.

MOTION CARRIED Mr. Speaker: Moved by Councillor Boyd and seconded by Councillor Southam that Bill #1 be given second reading as amended. Are you ready for the question. Agreed? Contrary. Motion Carried.

Mr. MacKinnon: Mr. Speaker, is it all right for me to say something now?

Mr. Speaker: We are just on bills Mr. MacKinnon.

Mr. MacKinnon: That is what I was going to say something about. For the record I would like to tell Mr. Southam that I am not scared to deal with the Labour Ordinance.

Mr. Speaker: Mr. MacKinnon, Mr. MacKinnon, you are out of order.

Mr. MacKinnon: How?

Mr. Speaker: We are not discussing the Labour Provisions Ordinance at this time. Would you please take your seat.

BILL #11 Mr. Boyd: I would move that third reading be given to Bill #11.

Mr. Southam: I will second the motion.

THIRD READING Mr. Speaker: Moved by Councillor Boyd and seconded by Mr. Southam that Bill #11 be given third reading. Are you ready for the question. Agreed? Contrary? Motion carried.

BILL #13 Mr. Boyd: Mr. Speaker, I beg leave to move that third reading be given to Bill #13, an amendment of the Companies Ordinance.

THIRD READING Mr. Southam: I second the motion.

MOTION CARRIED Mr. Speaker: It has been moved by Councillor Boyd and seconded by Councillor Southam that Bill #13 be given third reading. Are you ready for the question? Agreed? Motion carried.

BILL #15 Mr. Boyd: I beg leave to give third reading to Bill #15.

THIRD READING Mr. Southam: I second it.

MOTION CARRIED Mr. Speaker: It has been moved by Councillor Boyd and seconded by Councillor Southam that Bill #15 be given third reading. Are you ready for the question? Agreed? Contrary? Motion carried.

Mr. Speaker: I might state we have titles to Bills #11, 13, and 15 to process and also the second reading to Bill #17 regarding the Whitehorse land sale. Do you wish to process this and complete this fully?

Mr. Boyd: I beg leave to move that the title to Bill #11 be accepted as written. BILL #11

Mr. Southam: I second it. MOTION CARRIED

Mr. Speaker: Moved by Councillor Boyd and seconded by Mr. Southam that Bill #11, the title be adopted as written. Are you ready for the question? Agreed? Contrary? Bill #11 has passed this House. BILL #11 PASSED

Mr. Boyd: I would move that the title to Bill #13 be adopted as written. BILL #13

Mr. Southam: I second it. MOTION CARRIED

Mr. Speaker: Moved by Councillor Boyd and seconded by Councillor Southam that the title to Bill #13 be accepted as written. Are you all ready for the question. Agreed. Contrary? The motion is carried and Bill #13 has passed this house. BILL #13 PASSED

Mr. Boyd: I beg leave to move that the title to Bill #15 be accepted as written. BILL #15

Mr. Southam: I second the motion. MOTION CARRIED

Mr. Speaker: It has been moved by Councillor Boyd and by seconded by Councillor Southam that the title to Bill #15 be accepted as written. Are you ready for the question. Agreed? Contrary? The motion is carried and Bill #15 has passed this House. BILL #15 PASSED

Mr. Taylor: Mr. Speaker. I would point out that on the order paper Bill #1 and 9 have been indicated for third reading and Bill #1 has not been passed out of committee. However, Bill #9 has and I would move that first reading be given to Bill #9 as amended. BILL #9

Mr. Southam: I second the motion Mr. Speaker. FIRST READING

Mr. Speaker: It has been moved by Councillor Taylor and seconded by Councillor Southam that the amendments to Bill #9 be given first reading at this time. Are you ready for the question? Are you agreed? Any contrary? The motion is carried. MOTION CARRIED

Mr. Taylor: I move that second reading be given to the amendment to Bill #9. SECOND READING

Mr. Southam: I will second the motion. READING

Mr. Speaker: It has been moved by Councillor Taylor and seconded by Councillor Southam that Bill #9 as amended be given second reading. Are you ready for the question? Agreed and contrary? The motion is carried. MOTION CARRIED

Mr. Taylor: I move that third reading be given to Bill #9, as amended. THIRD READING

Mr. Southam: I will second the motion.

Mr. Speaker: It has been moved by Councillor Taylor and seconded by Councillor Southam that Bill #9 be given third reading. Are you ready for the question. Agreed? Contrary? Motion is carried. MOTION CARRIED

BILL #9 Mr. Taylor: I would move that the title to Bill #9 be adopted as written.

Mr. Southam: I second the motion.

MOTION
CARRIED

BILL #9 Mr. Speaker: It has been moved that the title to Bill #9 be adopted as written. Are you ready for the question? Agreed? Contrary? The motion is carried and Bill #9 has passed this House.

PASSED

Mr. Speaker: We just have Bill #17 for second reading.

BILL #17 Mr. Boyd: I would move that Bill #17 be given second reading.

SECOND
READING

Mr. Southam: I second it.

MOTION
CARRIED

Mr. Speaker: Moved by Councillor Boyd and seconded by Councillor Southam be given second reading. Are you ready for the question? Agreed? Contrary? Motion carried.

Mr. Watt: Mr. Speaker, one thing before we leave Council. I had a suggestion of personal vendetta against the administration this morning. I would like to have that struck off the record. There was no motive like that in my mind at all when I said that the administration and Council should present a Bill in the magnitude of the Labour Ordinance and I was accused of personal vendetta against the administration. I don't know how that could be after agreeing that they should do this with us. I don't think this is personal vendetta and I think that statement of accusing me of personal vendetta should be taken off the record because there was no intent and I don't think it was intended that way and I don't think it should be taken that way and I would like to move that this particular phrase be stricken from the record.

Mr. MacKinnon: I will second the motion.

Mr. Speaker: It has been moved that this particular phrase referred to should be stricken from the record.

Mr. Taylor: Mr. Speaker, I would just like to point out as the member who raised that comment that I said that it would indicate.

Mr. Speaker: Ready for the question. Are you agreed with the motion. Are there any contrary?

Mr. Taylor: Contrary.

Mr. Speaker: Motion is carried.

Mr. Clerk: Mr. Speaker, just for my edification, can we delete certain Councillor's remarks by motion of Council? Don't they have to be retracted?

Mr. Speaker: That could be quite right.

Mr. Watt: I think there are two methods that we have used in the past and one is a member should be asked to retract a statement or the alternative that a motion in Council asking that it should be stricken from the record. Otherwise, anyone can say anything about anybody and this is spread around the Territory and goes to Ottawa and it could be completely contrary to fact. We have stuff taken off the record in the past and I would ask that this be done.

Mr. Boyd: I didn't vote on this and I would not want to do so. Before I would want to vote on it I would like to hear the exact wording. I wasn't listening too closely and I don't know exactly what was said but I do know what was implicated. But, what was implicated and what was said is two different things.

Mr. Taylor: Mr. Speaker, this is just another indication of how we are wasting time in Council.

Mr. Speaker: Do you wish to retract what you said Mr. Taylor?

Mr. Taylor: I reiterate that what I said was to me that it indicated a vendetta and I didn't accuse the member and so I see no reason to withdraw the statement.

Mr. Watt: Mr. Speaker, if that is not an indication of personal vendetta then I don't know what is. There was no such thought in my mind and he is indicating that there is. The thought was that what the council and administration has done should be introduced as by the Council as a whole. The member has got up and said again that it would seem to indicate, just by adding the word indicate doesn't make it right, does it? You can run this Council the way you want and this guy here can get up and he can slander anyone and he can say anything. Don't we have any order around here to keep people straight and use proper language. If not you can't expect us to sit here and call ourselves a Territorial Council. It is a disgrace as it is now.

Mr. Speaker: Gentlemen, order. If the member said this indicated this it would appear to me there was nothing wrong with that. If he did say you were doing it I would say that that was incorrect and should be stricken from the record. We will play the tape back and see what was said. My decision will be accordingly. Mr. Clerk, will you stop the tape and we will call a recess.

RECESS

Councillor Taylor assumed the seat of Speaker and Council was called back to order.

Mr. Speaker: I will call this Council to order and we will adjourn until two o'clock this afternoon.

1958-1959 Season - 1958-1959 Season - 1958-1959 Season

Monday, May 9, 1966.
2:00 o'clock p.m.

Mr. Speaker: I will now call this Council to order. In view of this morning's Session, I have made a few notes here and I wish to pass along a few remarks. I can understand that this morning's debates were quite heated, and, if I may be permitted to say, quite unreasonable at times. The duties of your Speaker is, at all times, to endeavour to be as impartial as possible. When two Members in the heated debate have opposing views and I have to give a decision, it is fairly obvious that one of these Members are going to be unhappy with the ruling. Our rules are taken substantially from Beauchesne or what is practised in the Canadian House of Parliament. Any Member can have the privilege to appeal to Council on any ruling if he should feel aggrieved. In such event, I have to call for a vote. The House settles the matter and we should then, of course, continue with whatever it is. Any reflections whatsoever upon the character or the actions of the Speaker may be punished as a breach of privilege. This is Standing Order 68. It further states that the chief characteristics of the Speaker are the authority he has and his impartiality. In other words, gentlemen, we must consider the Speaker, not as an individual, such as myself, but as the authority this Council itself has set in the position of the Speaker to conduct our affairs in a manner which will give every freedom of speech but, at the same time, conduct the meetings with sufficient discipline in order to better serve the people we represent. Without each individual Member himself accepting the discipline which he has given to the control of the Speaker, we can have nothing but chaos and disruption of our deliberations. In view of what happened this morning, I consider that quite disgraceful, and it is evident that we cannot continue under these same circumstances. When your Speaker has to call for order a number of times...two, three times...and then have what we might term sotto voice remarks about his impartiality, it's a most unhappy situation. Now, this could be called, more or less, of a personal reflection on the individual, on the Speaker, but that is a small issue. The important issue is the reflection to the Chair which, in turn, is carried through to the whole system of elected representation embodied in this Council. This paramount point must rise above anything...above any personal issue...because without due deference to the position of Speaker, we have collectively failed in our duty to the electorate. That's all I have to say on this matter, gentlemen. It was very disturbing to me this morning and, as I stated, it cannot continue. On the other hand, it may be myself who is in error. It may be that I do not serve you... I do not have the qualifications which I should have for this very important office, and I would feel that if that is the wish of Council that some other Member should take over these duties, it would be quite acceptable to me. I would like to get your opinion on it. I would like to know whether you wish me to continue, or otherwise, and I would ask you gentlemen that wish me to continue would raise their right hand.

Councillors Thompson, Boyd, Southam and Taylor raise their right hand.

Mr. Speaker: Thank you. We shall continue and I hope that we will have better decorum in the future. What is your pleasure now, gentlemen?

BILL #12

Mr. Boyd: Mr. Speaker, before you leave the Chair, I think this morning we kind of decided that we had not time to deal with some many things. Amongst them, we discussed Bill 12 as being a part of this business that would be left, but I would like to make a Motion now that we do deal with Part No. 2 only of Bill 12 which concerns the Minimum Wage. I think we should set the minimum wage for the Yukon. It's the only place in Canada where there is no minimum wage established and I think that should be done. It would not take us very long to do it.

Mr. Taylor: Mr. Speaker, I would certainly second the Motion to deal with this.

Mr. Speaker: It has been moved by Councillor Boyd and seconded by Councillor Taylor that we discuss the Minimum Wage Section only in Bill No. 12 at this time. Are you ready for the question?

Mr. Taylor: Just one question, Mr. Speaker. I seconded that we discuss this Section. I didn't agree to anything "only". This is my Private Member's Bill. The Motion, as stated, Mr. Speaker, was that we discuss this Section. The word "only" didn't take part in the Motion to my knowledge.

Mr. Speaker: Is this correct, Mr. Boyd, that you moved that we discuss the Minimum Wage Section only in Bill No. 12? Was that your Motion?

Mr. Boyd: All I intended to establish was a minimum wage out of this Bill...nothing more.

Mr. Speaker: Is that correct then...I have your Motion correct?

Mr. Boyd: Yes.

Mr. Speaker: Did you second that Motion, Mr. Taylor?

Mr. Taylor: Not as "only". I would withdraw as seconded if this...

Mr. Watt: I will second that Motion of Mr. Boyd's then, Mr. Speaker.

Moved by Councillor Boyd, seconded by Councillor Watt, that we discuss the minimum wage section only of Bill No. 12 at this time.

MOTION CARRIED

MOTION CARRIED

The Motion was carried. Mr. Taylor abstained.

Moved by Councillor Boyd, seconded by Councillor Southam, that the Speaker do now leave the Chair and Council resolve itself into Committee of the Whole to discuss Bills, Memoranda, Motions and Sessional Papers.

MOTION CARRIED

MOTION CARRIED

Mr. Speaker: The Motion is carried and Mr. Southam will take the Chair in Committee of the Whole.

Mr. Southam: I will now declare a short recess while we get organized.

Mr. Southam: I will now call this Committee to order. We will discuss the Amended Bill No. 1, An Ordinance to Amend the School Ordinance. (Reads the Amended Bill No. 1). BILL #1

Mr. MacKinnon: Yes, Mr. Chairman, I would like to ask a question of the Legal Advisor. We are staying, apparently, on the same old rate as it has been in the past, only, I believe this has been extended from a ten mile limit to exceed a ten mile limit, possibly. Now, this five cents per mile basis...is this based on running mile or is it based on just a one-way trip. If children were to travel to and from via, say Canadian Coachways, would this same thing apply, or how would this be handled?

Mr. Legal Advisor: I think, Mr. Chairman, and I am not too familiar with the day to day administration of this clause, they pay the actual costs...or if you go by Coachways, that's what they are paid...actual cost of transporting pupils to and from their homes...that in the first line of (e) and it is the transportation to be calculated at the rate of five cents per mile each such child is actually transported. I understand that this is applied as a round trip. This is my understanding. I am not on the administrative side. I should mention that the maximum figure of \$3.00 per day is based on a twenty day school attendance for a month, which gives you \$60.00 maximum for transportation, which matches the \$60.00 allowance for boarding. That is why that figure is put in. Now, if questions go beyond this on the administrative side, I can only ask that a Member of Administration be called in because I don't know how they have been applying it exactly.

Mr. MacKinnon: Yes, Mr. Chairman, Mr. Hughes mentioned that five cents a mile for each mile the children are to be transported. I believe in every case that this will apply. The children will only be transported one half of the actual travel. For instance, if a person takes their children to school in the morning and you are taking, for instance, the children twenty miles to school, then you return that twenty miles. You are not transporting children on your return trip and this is what I am getting at and I don't think it is really very clear.

Mr. Legal Advisor: I agree, Mr. Chairman, that if you go out in the morning and you come back empty, you are really, in effect, you have got no load on your return trip and you have to go again in the evening but this, I understand, has always been the practice...you go again in the evening and you are paid for bringing them back...in effect. The Councillor's point is quite valid, but you will remember that it was five cents per mile up to a range of ten miles and a maximum of \$1.00...you see, this was meant, so far as the children were concerned, to be a complete round trip. Now, for the parents, they are really driving one way without any recompense other than...in effect he is getting two and one-half cents a mile, but I can't comment on this. The Councillor has a point if this point was obviously equally valid at the time the School Ordinance was passed. If you want to go further on this, I can only recommend that you get the Administration down on this because it will involve further expenditures.

Mr. MacKinnon: Well, Mr. Chairman, I would like to go back to page 92, Votes and Proceedings. It was pointed out at that time by Mr. Boyd "five cents per mile is now a very unrealistic figure. No man can even start a car up for that, and I would suggest that this is dealing with people boarding away from home and this should come up with a figure on what we are talking about before we do anything".

BILL #1

Mr. Boyd: Mr. Chairman, I would like to ask the Legal Advisor if I am right in my interpretation of the meaning here. It states that "the Commissioner may pay the actual cost of transporting the pupils". This is what, I think, we should concern ourselves with and this covers it. It says that if there are no extenuating circumstances..or such wording...or such meaning, the five cents shall apply, but, in the meantime, the actual costs of transportation will be paid as agreed to....some pre-arranged amount... with the Commissioner and the Department of Education. Would this be right?

Mr. Legal Advisor: Yes, he could pay that, but if you cast your mind back, this was the way it was going to be. The Member...the former Member for Kluane objected to the Commissioner having discretion and he was supported in this by the Member from Mayo. I have a very clear recollection of this particular subsection because it started life as quite a small subsection, but they objected to the Commissioner having a free hand so they then began to impose a mileage limit and they then began to impose a maximum for the day, and they fixed the maximum for the day at \$1.00. As a result of that, the discretion which had originally been given to the Commissioner was whittled down and he could now really only agree to something up to a maximum of \$3.00 a day as I understand it. The convenient fraction was decided upon at one point of time... five cents per mile. It is not my business as Legal Advisor to comment on whether five cents a mile is adequate or not. I am always prepared to give you my personal opinion but this is outside my purpose here. If the rate is to be changed, could the Administration be given some specific figure so it can recalculate its cost and see where it will stand...if the rate is to be changed. I am only asking this because I know...otherwise this will get into a mess. If the Councillor wants to set ten cents per mile and a maximum of \$5.00 per day, then the Administration has got some tangible figure to work out the cost, but I can't, in drafting this, write in these figures. The reason I got the \$3.00 per day in is because twenty school days matches our \$60.00 for the boarding. That is the reason you've got \$3.00 there.

Mr. MacKinnon: Mr. Chairman, I would like to see this worked out on a fair basis and I wouldn't want to see it where any one person, such as myself, would eventually capitalize. The way this is set up, on the five cents, it's not based on so many children. For instance, I might possibly, next year, or the year after, have five children that I would be taking to school. If I was getting \$3.00 per child, that would be \$15.00 a day, and then I could quit work. I don't like to see this type of legislation passed. It's no good for me...it might be good for me but not for the country. I just want to see things set up on a fair basis. I don't like to be jilted. Like, for instance, last year when I couldn't get a place to board my children at Haines Junction, I had to drive...I had to pay \$1.60 for the return trip. I am not thinking of myself. I will grant you that but I would like to use it as an instance because I have had this experience and it might be of benefit to the rest of you. When the Canadian Coachways Bus was running, where my children could return on the Bus, I paid Canadian Coachways \$1.60 a day, plus I drove the children to school in the morning which was a forty mile trip return. When the forms were submitted, they wouldn't pay them because the children had returned on Canadian Coachways Bus and I was only driving them one way so all I could

Mr. MacKinnon continues:

collect then was \$1.00 per child per day which was \$2.00, so, therefore, I never resubmitted the bills. I wouldn't accept anything, but all I could have got at that time was enough to pay the bus fare. Had I been fortunate enough to find a place to board the children, I would have gotten \$50.00 per child per month and this is what I am getting at....to set this up on a basis, as I say, as to where that when my five children go to school, then I could almost retire on a policy set up by the Territorial Government because it would be in excess of what the actual cost is, so I think we should hear from everybody else in this respect.

Mr. Boyd: Mr. Chairman, the way it reads now, it is five cents a ton mile or up to an amount of \$3.00 per child... and we are talking about per child...it's five cents per mile per child or it's up to an amount of \$3.00 per day. Now, no matter what you set down in black and white, circumstances are varied and what suits one, doesn't suit another. It would seem to me that the Commissioner is going to have to make...no matter what you set the... figures you put down...the Commissioner is still going to be faced with problems one way or another, and he is going to have to be able to say "All right. It's not fair for you to have to put up with this. We will make it \$2.00 a day and forget the five cents a mile". This, I think, is still going to be a necessity somewhere along the line, but I also think, to be using five cents, is just not... this must be changed, and I would suggest that, in fact, I will move that this five cents be changed to read twelve cents.

Mr. Shaw: Mr. Chairman, I think that, with all due respect, that that's a little bit hasty. Let us try to review the whole matter. We have five cents per mile. That won't usually encompass one child...that might be two, or three, or four...so at five cents per mile...it could be ten, fifteen cents per mile...I think the average cost for cost of operation is twelve cents per mile covering insurance and all the rest...but I don't think that can be used as a yardstick in a matter such as this. For example, I think the buses work on the basis, as far as I can calculate.. I might be wrong...of about two and one-half cents per mile per passenger, so that in arriving at a matter such as this, it's very difficult to put down any mileage because, as Councillor MacKinnon has stated, they might get fifteen dollars a day by filling up the bus, or they may get ten cents a day, or a dollar a day. So, it would appear that for this particular case of Councillor MacKinnon's...it's hard to know just what way to figure it out without disrupting the whole system of busing children. At one time there was no busing of children...or very, very little busing, but the last number of years, this is increasing every year so that it's getting to be a very, very large part of our financial contribution to education...is taking children there and taking them back again. If we start monkeying around at this time with something such as this.. choose a piece here and a piece there...then we could disrupt the whole system and we could have quite a time. In respect of this particular matter, I was wondering, Mr. Chairman, just how many children this would involve. We are discussing changing the whole structure of the busing. Perhaps it would be a good thing to get a list before Council to know exactly what this involves...what we are going to change, the impact it will have...and perhaps we

BILL #1

Mr. Shaw continues:
 can better deal with the subject if we get that kind of information. How many people are there involved? Where would this involve...where is it located?...and stuff like this. I think, myself, that rather than disrupt something like this, that the Commissioner can say, in certain circumstances, that he will give so much a month rather than have it down in mileage. Maybe that would be a better system if they were so far away and had to be bused in. On the other hand, if it's fifteen miles.. it has to be thirty miles I believe...I haven't got down to figuring it all out...but if you took two, three children that mileage and left them in school and then you drove them back, I would imagine the amount that is provided now of \$3.00 per day...that would be \$9.00 if you had three children...would be adequate payment. I think we must also take into consideration too that although the Government is endeavouring to make every assistance to these people, these people do live, by their own choice, in certain sections, and in so doing, it is going to make it difficult for the parents and it's going to make it difficult for the Administration or the Government so, therefore, we have to try and arrive at something that will make everybody reasonably happy with the situation without disrupting the whole system of transportation. That's the way it would appear to me.

Mr. MacKinnon: Yes, Mr. Chairman, Mr. Boyd suggested twelve cents. This is reasonable in one way. On the other hand, it is very unreasonable. It would be very drastic in a case, for instance, where we have eight to twelve children travelling on one privately owned bus within the limit of the ten mile radius. These people would then, I would say, be capitalizing on such a plan. Maybe I am wrong, but it would just look....I haven't figured it out in actual dollars but I believe it would come to something like \$30.00 per day....unless I misunderstood what Mr. Boyd has in mind. Does he mean twelve cents per mile for the vehicle irregardless of whether there are five children or twelve? Would you answer that, Mr. Boyd?

Mr. Boyd: To be quite frank, that was the terms in which I was thinking because when this five cents was put in, the bill for a mechanic at the garage was possibly \$2.00 an hour, or maybe less. Today it's between \$6.00 and \$7.00 an hour so obviously the five cents is not the figure, but nobody seconded the Motion I made and I have another thought now. We have only got a short while to go and rather, as Mr. Shaw points out, than upset anything right now, this will cover anybody that is in difficulties. We can do this or that so one of the two must fit the foot and I would move that we accept this as it is and that Administration use it for the rest of the term...this Bill as it is written.. and let Administration use it for the rest of the term and maybe they will have something more to the heart's desire later.

BILL
#1

Mr. Taylor: Mr. Chairman, is this moving the Bill out of Committee?

Mr. Boyd: Mr. Chairman, I will withhold my Motion in case anyone wants to discuss it further.

Mr. Thompson: Mr. Chairman, I think this suggested amendment brings it into line with what we had discussed previously. We have raised it from \$22.00 a month to \$60.00 a month. This is precisely what the people get for boarding their children away from home so this makes it equitable and, as has been pointed out, this five cents a mile is for each person that is transported so with two people, it's ten cents a mile; three, fifteen, and so on, so I feel that this is quite in order. It is what we had recommended and I feel that both the (d) and the (e) sections cover any contingency that might exist at the present time.

Mr. MacKinnon: Mr. Chairman, now there is one point that hasn't been clarified and that's in regard to this, as Mr. Thompson points out, ten cents per mile....is this one way? What happens if children travel one way by bus? Is this going to be compensated for? Maybe Mr. Hughes would answer that question.

Mr. Legal Advisor: I offer this interpretation without too much confidence at the moment. If the parent pays the actual cost of sending the child to school by bus and the Commissioner is then left with the alternative of paying such amount as he may fix and then it sets out the ground rules for fixing the amount, I would say that if it cost you \$1.00 to send a child to school by bus, you could still drive over in the evening and pick the child up and get your five cents a mile, provided the bus fare and the mileage allowance didn't exceed \$3.00 per day. That's how I think it would be made to work.

Mr. MacKinnon: Mr. Chairman, is the Legal Advisor saying that it will be equivalent to \$3.00 a day per child paid? Well, it's what it says, Mr. Thompson, but I don't believe that this is realistic. For instance, I will have, personally, three children going to school this summer and that would be \$9.00 and, like I say, this can go up and up and up in all various areas and you would get into the \$12.00, \$15.00 and \$20.00 bracket and this is the point I am trying to make.

Mr. Legal Advisor: Mr. Chairman, if the Committee wants to fix a maximum...not merely the maximum per child per day...but an overall maximum...aggregate maximum...this can be done. Perhaps the Committee can suggest the amount.

Mr. Taylor: Mr. Chairman, in considering this, I think that there has been two thoughts expressed and one is the fact that if a child requires transportation to school under this Bill, he can get up to \$60.00 a month for doing so per child which could conceivably...depending on how many children you take to school...will make the thing reasonable. Also, there was a second point...a case of where you get busing one way and driving the other. Well, if there is a school bus operating where there are children...it's kind of pointless...if the school bus goes one way, why, then, they should go the other.

BILL #1

Mr. MacKinnon: Mr. Chairman, on the Alaska Highway North, there is no school bus. If you are fortunate enough that the Canadian Coachways has a bus running anywhere near school time...your children might two to three hours but they can return on the bus because there is lots of time after school. They might have to hang out in somebody's cafe or something but, nevertheless, they can return by Canadian Coachways Bus...not a school bus. There is no such thing on the North Highway as a school bus. There are quite a few of these cases. For instance, we have no school at Burwash and there are several children being transported to 1083 and also from 1118 and you are going to exceed the twenty mile radius in many cases and this is what you are up against. In some areas, and I will outline one case, I don't particularly like mentioning certain parts but I don't see why I shouldn't. The U.S. Pump Station, for instance, is exactly ten miles out of Haines Junction. There is quite a staff at the Station as you know. There are approximately ten to twelve children to go to school from the U.S. Pump Station and the people there have bought a bus, small bus, and they bus the children to Haines Junction school. This works out fine. They get \$1.00 per child per day so when you have ten to twelve children, this isn't so bad and they are only travelling ten miles...return trip is twenty; but on the other hand, there's places with similar circumstances with two to three children and they are driven anywhere from ten to twenty miles and sometimes exceed the twenty miles so this is what we have got to keep in mind....you set it up on an equal basis. I don't know just how it will work out. It is hardly fair to pay the person that is travelling with his vehicle twenty miles the same price you are paying the person travelling ten miles with five times, or eight times, as many children. He's not burning any more gas or any more rubber off of his tires. I believe there must be some way of working this out where people cannot overdo it and make it a racket and get more money than what is coming to them but I believe that the person should get as much as the rest. I mean...if you are fortunate enough to find a place to board your children....I believe that Mr. Thompson made the statement here a few moments ago about \$60.00 per month which, in my estimation, is not correct. This is a maximum and from Grade One to Grade Seven will be \$50.00 per month...has been outlined and has been paid in the past so we are not talking of \$60.00. We are talking of \$50.00. The point is this. If you are driving children twenty miles and that means eighty miles a day you travel, and under the present system of \$1.00 per child per day... that would be \$2.00 you got paid. Now, at the same time, if you were fortunate enough to have those kids boarded out, you would be getting \$50.00 per month per child, which would be quite a little difference.

Mr. Legal Advisor: Mr. Chairman, the Members who were here may remember that originally 93 (e) just started as a provision for the payment of the actual costs of transportation, and then at one point in the discussion...this was four years ago...somebody said "What about these children...the special cases...the invalids or who have some infirmity, or they are blind, and their parents want to bring them to school?" It was originally thought of that either you lived on a bus route or a school bus route or you boarded out. This was the original concept. Then, as a result of trying to provide for a special case, a child with some handicap who had to be brought in by parents, the rest of it has grown on to this subsection.

Mr. Legal Advisor continues:

BILL #1

If you go back to the way it read originally, I wonder if it would meet the Councillors objections "pay the actual cost of transporting pupils to and from their homes, or other residence, approved by the Commissioner" for the purpose of this clause "and the school they attend". You chop it off there but what you are then doing is giving the discretion to the Commissioner. This case cited by the Councillor obviously...if they were going to get \$30.00 per day, it would be a very profitable bus company they had going for them. Your choice really seems to be an aggregate per day....maximum aggregate per day per vehicle. This may meet your problem, but I would ask for some suggestion as to what the daily aggregate would be and I would point out that the clause is already long and overgrown and hard to find the meaning, and it will get longer. It's almost time to take a good hard look at the whole thing and see if we can't bring it back into shape. With regard to the Councillor from Watson Lake's point, the idea of the allowance....if a school bus was provided, the parent would pay nothing and that's why it's an actual cost. If they are riding on a school bus, then they don't get an allowance. That's my understanding of it.

Mr. Southam: At this time, gentlemen, I will call a recess for tea.

1. The first part of the document is a letter from the Secretary of the State to the Governor, dated 10th March 1870.

2. The second part is a report from the Secretary of the State to the Governor, dated 10th March 1870.

3. The third part is a report from the Secretary of the State to the Governor, dated 10th March 1870.

4. The fourth part is a report from the Secretary of the State to the Governor, dated 10th March 1870.

5. The fifth part is a report from the Secretary of the State to the Governor, dated 10th March 1870.

6. The sixth part is a report from the Secretary of the State to the Governor, dated 10th March 1870.

7. The seventh part is a report from the Secretary of the State to the Governor, dated 10th March 1870.

8. The eighth part is a report from the Secretary of the State to the Governor, dated 10th March 1870.

9. The ninth part is a report from the Secretary of the State to the Governor, dated 10th March 1870.

10. The tenth part is a report from the Secretary of the State to the Governor, dated 10th March 1870.

11. The eleventh part is a report from the Secretary of the State to the Governor, dated 10th March 1870.

12. The twelfth part is a report from the Secretary of the State to the Governor, dated 10th March 1870.

13. The thirteenth part is a report from the Secretary of the State to the Governor, dated 10th March 1870.

14. The fourteenth part is a report from the Secretary of the State to the Governor, dated 10th March 1870.

15. The fifteenth part is a report from the Secretary of the State to the Governor, dated 10th March 1870.

Monday, 3:30 p.m.
May 9, 1966

Mr. Southam: Gentlemen, I will call you back to order and what is your pleasure now?

Mr. Boyd: I agree that we have talked enough. I would move that Bill #1 be passed out of committee as amended. BILL #1

Mr. MacKinnon: I will second that and I would like to say that if this doesn't work out that we can have another look at it in the Fall.

Mr. Southam: Moved by Councillor Boyd and seconded by Councillor MacKinnon that Bill #1 be passed out of committee as amended. Are you ready for the question. Agreed? Contrary? Motion carried and Bill #1 has been passed out of committee as amended. We will now go to Bill #4. BILL #4

Mr. Taylor: In relation to Bill #4, possibly this would be the time to have administration prepare a new Bill with all the deletions and amendments. For the edification of the members it would appear that the deletions are Vote 13 - Justice in the amount of \$506,127 and the only other deletions I have noted are in Education, 2303, 2308, 2343, 2351. Also under Vote 20 we have 2908, \$10,000 for renovations.

Mr. Boyd: We also have an item in that which was deferred and it will either have to be taken out or left in as we desire.

*Vote
20.*

Mr. Taylor: The one that was deferred was 2355, the Clinton Creek School.

Mr. Thompson: Page 20, Vote 7.

Mr. Boyd: Page 10.

Mr. Clerk: Also you deleted \$75 on Page 6, 2303 for a second hand cash register.

Mr. Taylor: This was already enumerated.

Mr. Thompson: 2343 was \$1,000 for furnishings?

Mr. Clerk: The thousand dollars deleted was for to purchase furnishings and equipment for a portable class room.

Mr. Taylor: 2351 a deletion of \$5,000 for furniture. I wonder if we could deal with this matter of 2305.

Mr. Southam: You mean to say that you are putting a three-room school into Elsa with out any furniture?

Mr. Thompson: Furniture is under something else.

Mr. Southam: We are dealing with establishment 2305, this is a new portable classroom and it's equipment?

Mr. Boyd: I wonder if we need Mr. Thompson here or not. I think that if we are going to deal with money that concerns him I would think that it might be better if he were here. I am open minded on it.

Mr. Taylor: Are there any members that do object to this expenditure and is there any reason for this that we require Mr. Thompson. If there are, then he should be here.

Vote 20

Mr. Thompson: Mr. Chairman, this was brought up previously and the reason for it's deferment was that we were awaiting some word on the possible outcome of teaching requirements and teaching demands and we found out that at the beginning of this year there were only 16 pupils in Christ the King High School and the projected figures, although they show 27 in Grade 10 this year, the graph has shown a sharp decline in Grade 11 and 12 and we felt that for the coming year that the total Grade 11 and 12 student population could be quite easily included in the F. H. Collins School and taught quite adequately for this year and thereby saving us this expenditure at this time in view of the proposed new Junior High School which has previously been mentioned. This, I believe, has been the understanding and the Catholic-Episcopal Corporation have agreed to this at this time and so for that reason I don't feel that this is necessary. In making this submission I would move that the item 2305 in the amount of \$32,730 be deleted from the budget.

Mr. Boyd: I am told that these people have held a meeting and they have agreed that Grades 11 & 12 will not be taught and so there is no need for this money because those two rooms will become available to take care of this excess student population.

Mr. Southam: Moved by Councillor Thompson and seconded by Councillor Boyd that establishment 2305 be deleted from the budget. Are you ready for the question? Are you agreed? Contrary? Motion carried.

Mr. Taylor: In reference to the next item, 2360, in Vote 20, it refers to school equipment for F.H. Collins School. I believe that this was deferred until we reviewed the aspects of the school with the Director. Do we have any other problem with this one or can we approve it?

Mr. Clerk: I think the part deferred was on page 10, under Christ the King in the amount of \$4,909.

Mr. Boyd: My understanding there was this was equipment was to be used for the Grades 11 and 12 and therefore it would appear no longer necessary.

Mr. Clerk: It was in 2305.

Mr. MacKinnon: Are we definitely sure that these classes will not be in operation in the next year. Does anybody know or are we just guessing.

Mr. Shaw: Mr. Boyd can you assure us that this will not be required.

Mr. Boyd: To clarify the matter, there is a letter which could be read, stating that these classes will no longer be taught.

Mr. MacKinnon: Mr. Chairman, would Mr. Boyd mind telling us who the letter was from?

Mr. Boyd: I see no crime in having the letter come out to make it all clear in your mind. Mr. Thompson has the letter on his file as chairman of the Financial Advisory Committee.

Mr. Thompson: I am just trying to locate it.

Mr. Taylor: I would be quite prepared to accept the word of Vote 20 the Financial Advisory Committee in this respect without requiring to go any deeper and I would move that we take \$4,909 from 2360, Vote 20.

Mr. Boyd: I second the motion.

Mr. Southam: It has been moved by Councillor Taylor and seconded by Councillor Boyd that establishment 2360, Vote 20, in the amount of \$4,909 be deleted from the budget. Are you agreed? Contrary? Motion carried.

Mr. Thompson: I have a letter dated the third of May of this year written to the Vicar Apostolic of Whitehorse, the Most Reverend Mulvihill from the Commissioner and it says "the conditions you outlined for the operation of Grades 11 and 12 in Christ the King School are acceptable to me. I understand from the discussions that took place between the Superintendent of Schools and your Director of Education that both those grades will not be taught in the year 1966-1967".

Mr. Southam: Does that answer your question Mr. MacKinnon.

Mr. Taylor: There was an item 2908 that was deleted, I wonder if we could review that.

Mr. Southam: That has been dealt with. Is that all gentlemen?

Mr. Taylor: I believe gentlemen that that is all.

Mr. Thompson: I have a notation against Welfare Department and I also have a notation against the Department of Corrections.

Mr. Taylor: I am pretty sure we didn't delete anything out of these departments.

Mr. Thompson: I just have a notation here against Corrections on Vote 20, page 24. This Children's Home was a revote and the project was not undertaken and the same figures are the same as submitted last year and I am just wondering if this is still required as it previously was.

Mr. Taylor: In respect to these, these were all cleared up by committee and there were no deletions from them.

Mr. Southam: I have them marked here.

Mr. Taylor: Possibly these deletions could be noted and a new Bill for amendment for consideration of Council be made.

Mr. Thompson: Going back to this Department of Corrections one we received an amended operating and amendments vote for Corrections that was somewhat increased but there has been no increase in the capital side of it and here again in as much as they won't be in operation for the whole year I am wondering if this is a necessity and that this total not be that.

Mr. Taylor: The matter is referred to as a vehicle for the Director of Corrections and a vehicle for two probation officers and these are in operation now. Medium security will require a vehicle and a van will be needed for the minimum security for the men. Irregardless of what we do with this vote these will still be required.

Mr. Southam: What is your pleasure now gentlemen?

Vote 20

Mr. Boyd: Mr. Chairman, I don't know whether I am on the right subject. The Department of Education it appears is attempting to have people set a price on their property, not only the Department of Education so far has not come out in this degree. We have Area Development ascertaining and we have other people not connected with the Government at all doing the same job and I think that if there are plans to do certain things concerning the purchasing of people's homes and things like this that Council should be taken into their confidence and this discussed in Council. What are their plans, all you hear is what gets around by the grapevine and then you get a little closer to the core and things start to look different and so on. I think it is time someone came out in the open so that this Council knows where we stand and are not just up in the air.

Mr. Taylor: Mr. Chairman, I think I have an inkling of what Councillor Boyd is talking about and I have had several requests or comments made about it and I expected it to rise daily. It occurred to me that the Government are not going to be empowered to purchase anyone's house, nor is the Department of Education until it has come before Council. For some reason or other this matter has been kept under cover and apparently they are going to cut out a street in Whitehorse and divide somebody's property.

Mr. MacKinnon: Maybe Mr. Boyd could explain a little bit more. I am a little in the dark on this, are you talking about the Superintendent of Schools, Harry Thompson, is this what you mean Mr. Boyd?

Mr. Boyd: Well as I stated I have named a couple of direct men and the rest is so much talk but where there is smoke there is usually fire and I would not want to find myself faced with something here in the Fall Session that had actually taken place, and to be put on the spot so that I had no choice. I think we should know what is in the wind and be given a chance to express ourselves.

Mr. MacKinnon: I suggest that we call Mr. Harry Thompson, Superintendent of Schools to the table and discuss this matter with him.

Mr. Shaw: I don't know what we are talking about but before the Department starts buying property if they are, I don't know, I would think they would at least come before this Council and state what they would like to do and state their plans. I feel very much like Councillor MacKinnon, let's find out some facts. If there are rumors around there must be something.

Mr. Boyd: I think that we could enlighten ourselves if we ask Mr. Spray to come down.

Mr. MacKinnon: What about Mr. Harry Thompson?

Mr. Southam: We have Mr. Spray with us and Mr. Boyd would you like to start.

Mr. Boyd: Well, Mr. Chairman, I have been stopped in the street many times in the last ten days or two weeks and not only myself but others have been in the same boat concerning somebody asking people to put a price on their property in order that it may be bought. I think Mr. Spray you are aware of what exists and I would like if possible that we have the full information and who all is involved and in what way does it effect the Territorial management and so on.

Mr. Spray: Mr. Chairman, for the last year and a half there has been talk of required extension to the Christ the King School playground. Last year in Council there was some talk of closing Fifth Avenue between Wood and Steel Streets to add onto the playgrounds at the school. Now this year there is still talk of the addition to the playground. Before any decision can be made to extend this I was instructed to find out who owns the property fronting on Fifth Avenue between Wood and Steel and contact these owners or their agents and determine if they would even consider selling and if so approximately what price they would fix on their property. At no time did I quote a price, I explained why I wanted a price and why the Government required this and at no time did I definitely say that the Government would purchase their homes nor did I say that the Government was definitely interested in purchasing the property. I said that if the Government was going to put an extension onto Christ the King School playgrounds and Fifth Avenue would be closed and this would require Block 7, two lots one and twelve.

Extension
of School
Play-
Grounds

Mr. Taylor: I have also been approached on this situation and I understand that there have been at least two owners questioned and they are under the feeling that the City may expropriate or the Government may. I think their fears should be put to rest in this respect and I think we have also pointed out that two grades from that school are to be moved and possibly the playground requirement no longer exists. It was also pointed out that there were some old buildings on the site which should be taken down and taken elsewhere to make room for playgrounds. I think the administration should make it clear.

Mr. Spray. Mr. Chairman, to go one step further, at the present time the administration feels that before we proceed further we should find the land use of Block 37 and 32. This is where we are going to have a layout to determine if the property is properly used and if not perhaps some changes can be made. In the matter of appropriation I have no idea of what the City of Whitehorse has or if they appropriate property and as far as purchasing the property this can't be done until the funds are made available in the estimates. All the actions taken to date have been to prepare the information so we can assess the problem and if it is determined by someone in the administration that the addition is required then we have the information available to us.

Mr. Boyd: One more question, is there anybody else other than yourself that you know of asking these same homeowners what their price would be.

Mr. Spray: I was told by one of the homeowners that a member of the clergy who is connected with the school situation had spoken to them, now whether he was determining something or what, this was not done by direction of the administration and this did take me by surprise. I might say that this method of going to the individuals and finding out whether they would be willing to sell their property and at what price is something that we do elsewhere in the Territory to acquire land. We feel out and see what could take place and then we have something to work on.

Mr. Boyd: That is a fair enough explanation but it amazes me that and I think it should be stopped, if one part of the Government is going to do a job then I don't think anyone else should be running around making inquiries. I wouldn't want

Mr. Boyd continues.....

to be pestered by would be buyers. There is only one way to decide it and that is by the government only. I do know that there have been other propositions put up to these people. One can only guess that they were all aiming for the same end result and as you say, where do we stand now. What have the people said and are you still thinking about acquiring the ground.

Mr. Spray: The indication I have from the people concerned is that they are not too interested in selling their property at this time. I told them if they considered a proposal they could let me know. That is as far as it went. My instructions came from the Executive Assistant and to the best of my knowledge and this is being done so that before the money is put in the estimates we will have the information to supply Council for discussion at that time. There is some doubt as to whether we require additional property on that block for Christ the King School.

Mr. Boyd: You mean the Executive Administrator, do you mean the present one or the one that has just retired?

Mr. Spray: Mr. Fingland, Executive Assistant.

Mr. Taylor: I think that this matter could be easily resolved. It must be clearly understood that in respect to any purchasing that the administration could contact the Catholic-Episcopal Corporation and the Director of Education. I think too that the administration should properly find out about this property and do nothing until the Fall session.

Mr. Spray: It is my understanding that we will not proceed on the project without facts being specifically provided. When we, well in the case of the Whitehorse Elementary School, we had to purchase additional land from B.Y.N. We found out before hand what price and if they would be interested in selling before we put it before Council.

Mr. Shaw: I can't agree with the administration making investigations, but really it isn't their fault that other people are getting onto the scene.

Mr. Southam: Anything further gentlemen? May Mr. Spray be excused at this time.

Mr. Taylor: We have two Bills here, 16 and 17. Maybe we could tidy them up while Mr. Spray is here.

BILL #16

Mr. Southam: Gentlemen, we will take Bill #16 which reads as follows. What is your pleasure gentlemen?

Mr. Taylor: Does Mr. Spray concur with this?

Mr. Spray: My understanding is that this Ordinance was for specific programs and without these programs there is not requirement for the Ordinance.

Mr. Shaw: This Ordinance gives the Commissioner the power to purchase land from the White Pass and Yukon Route, there is \$17,800.

Mr. Legal Advisor: I just wanted to know if any of the members wanted to consult the Ordinance when Mr. Shaw was speaking.

Mr. Taylor: I would move that Bill #16 be moved out of committee without amendment

Mr. Shaw: I second it.

BILL #16

Mr. Southam: It has been moved by Councillor Taylor and seconded by Councillor Shaw that Bill #16 now be moved out of committee without amendment. Are you ready for the question? Agreed? Contrary? The motion is carried.

Mr. Southam: We will go to Bill #17 which reads as follows. BILL #17
Are you clear gentlemen?

Mr. Taylor: I would move that Bill #17 be reported out of committee without amendment.

Mr. Boyd: I second it.

Mr. Southam: It has been moved by Councillor Taylor and seconded by Councillor Boyd that Bill #17 be moved out of committee without amendment. Ready for the question? Are you agreed? Motion is carried.

Mr. Southam: May I excuse Mr. Spray? I will also call a short recess.

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Monday, May 9, 1966.
4:30 o'clock p.m.

Mr. Southam: I will now call the Committee back to order and we are going to go on to Bill No. 10, An Ordinance to Amend the Game Ordinance. What is your wish with this Bill, gentlemen? BILL #10

Mr. Shaw: I have all kinds of notations - out - six month hoist...it appears to me there is a good deal to be worked out on this Bill. Perhaps if the Government collectively got together and worked on this and presented it next fall, I think that possibly that would be the best move at this time.

Mr. Southam: Any further suggestions, gentlemen?

Mr. MacKinnon: Mr. Chairman, I was just wondering if there was anything that Mr. Fitzgerald might consider urgent on this particular Bill. Maybe we should contact Mr. Fitzgerald and ask him if there is anything that he considers urgent.

Mr. Shaw: Mr. Chairman, that sounds like a very good suggestion...if there's anything that's important...

All: Agreed.

Mr. Southam: I will call a short recess while we get Mr. Fitzgerald up here.

Mr. Southam: I will call this Committee to order. We have Mr. Fitzgerald with us now. We are discussing possible amendments to the Game Ordinance. I think they are all pretty well marked in now what we want to have done. Have you anything that you wish to say, Mr. Fitzgerald?

Mr. Shaw: Mr. Chairman, I think there should be a little explanatory prologue here. We are somewhat pressed for time and there seems to be quite a number of issues involved in this Ordinance, which may have been due to a number of factors...and Members of Council are contemplating leaving this until next fall. However, there may be some matters in this that are important and necessary to have at this time...some particular section of this Ordinance. We would like to hear if you feel that there is something very necessary in this Ordinance that you would like to have dealt with at this time.

Mr. Fitzgerald: I think, Mr. Chairman, to have the Ordinance...Amendments...realigned properly....they are not nearly right now...I spent some time with Mr. Hughes and Mr. Hughes was pressed for time....the thing is all out of kilter and I think that there's not much point in trying to get anything into it now until we get it all lined up properly, and I think it will have to wait until fall. As far as I am concerned, I can't see anything there that has to be dealt with right now, but I would certainly like to see that it's workable and ready for this fall.

Mr. Taylor: Mr. Chairman, there are two sections of this which I think we could usefully change at this Session, and that is, first of all, the matter of the increase in the hunting licences. Possibly that could be retained. The other would be the proposal that I was going to make when we discussed this Bill and that comes under Schedule "A"... Schedule "C"...that all the Game Sanctuaries now be known as Territorial Parks.

BILL #10

Mr. Watt: Mr. Chairman, I think Mr. Fitzgerald has stated an opinion and this is what we asked for, and I agree. This is why Mr. Shaw asked him to come up here. I agree with Mr. Fitzgerald that this should be left for fall... the fees and the parks...and I, for one, would like to let it go until fall and we can do the thing up properly and we can put it on the agenda right at the beginning of the fall session.

Mr. MacKinnon: Yes, Mr. Chairman, I agree very much with Mr. Fitzgerald and he is in a position to know whether there is anything urgent or not. That's the reason I suggested we invite him to the table, and I am willing to accept his explanation that there is nothing that we can accomplish at this time by passing any of it now.

Mr. Southam: Are we all agreed to give this the hoist until fall, gentlemen?

Mr. Shaw: Just one thing. I would ask if Mr. Fitzgerald could do a little work on this this summer and we will look forward to taking it up in the Fall Session. It's not a case of delaying it. It's just asking him in his capacity as Game Director to see that this is lined up so that we can clear it.

Mr. Fitzgerald: Mr. Chairman, I am very willing to do this but, then again, in order to draft this legal type of ordinance, it is understood that the Legal Advisor would have to instruct.

Mr. Boyd: Mr. Chairman, that's understandable. I think the situation is well in hand. The Legal Advisor just hasn't had the time to do the many things.....and there's no recourse.....

All: Agreed.

Mr. Fitzgerald is excused.

Mr. Southam: Looking at the time, gentlemen, what is your pleasure?

Moved by Councillor Thompson, seconded by Councillor Watt, that the Speaker do now resume the Chair and hear the Report of the Chairman of Committees.

MOTION
CARRIED

MOTION CARRIED

Mr. Speaker: I will now call this Council to order and hear the Report of the Chairman of Committees.

REPORT OF
CHAIRMAN
OF COMMIT-
TEES

Mr. Southam: Mr. Speaker, Council convened in Committee of the Whole at 2:15 P.M. to discuss Bills, Memoranda, Sessional Papers, Motions, etc. Moved by Councillor Thompson and seconded by Councillor Boyd, that Estimate 2305 of Vote No. 20 be deleted. This Motion was carried. Moved by Councillor Taylor, seconded by Councillor Boyd, that the amount of \$4,909.00 be deleted from Estimate 2360 of Vote 20. This Motion was also carried. I can report some progress on Bill No. 4. Mr. Spray was here to explain some property sales and Bill No. 1 was moved out of Committee as amended. It was moved by Councillor Taylor and seconded by Councillor Shaw that Bill No. 16 be reported out of Committee without amendment. It was moved by Councillor Taylor and seconded by Councillor Boyd that Bill No. 17 be reported out of Committee without amendment. Somewheres in the mix up, Mr. Speaker, I have lost who moved No. 1 out of Committee as amended. Bill No. 10 was referred to the Fall Session.

All: Agreed.

Mr. Speaker: We have the agenda for tomorrow. What is your pleasure, gentlemen?

Mr. Taylor: Mr. Speaker, tomorrow morning, I would suggest we conclude...Bill No. 4 is now...the amendments are being drafted...the Main Supply Bill. We have Bill No. 12, the Labour Ordinance. I would suggest we continue with that first thing in the morning, and if it is the Member's desire to do so, we should be able to prorogue either tomorrow afternoon or Wednesday morning.

Mr. Watt: Mr. Speaker, did we not have an appointment tomorrow afternoon with respect to this Municipal Ordinance?

Mr. Speaker: Yes, we have that for two o'clock tomorrow with the City of Whitehorse and Mr. Spray, I believe..the Municipal Ordinance. So, the agenda is motions, bills, sessional papers and memoranda under the routine of the day and we also have Bill No. 4 and Bill No. 12 to discuss in the morning..if we have time for two of them. At two o'clock we have the City of Whitehorse and Mr. Spray to discuss the Municipal Ordinance. I think that pretty well fills us up for tomorrow. What is your pleasure now?

Mr. Boyd: I move we call it five o'clock.

MOTION CARRIED

MOTION
CARRIED

Mr. Speaker: The Motion is carried and this Council stands adjourned until tomorrow morning at ten o'clock.

1. The following is a list of the names of the persons who
are members of the Board of Directors of the Corporation.

BOARD OF DIRECTORS

1919-20

1. Mr. J. H. [Name] [Address]

2. Mr. [Name] [Address]
3. Mr. [Name] [Address]
4. Mr. [Name] [Address]
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24. Mr. [Name] [Address]
25. Mr. [Name] [Address]

26. Mr. [Name] [Address]

Tuesday, 10:00 a.m.
May 10, 1966

Mr. Speaker read the daily prayer and Council was called to order.

Mr. Speaker: Is there a quorum Mr. Clerk?

Mr. Clerk: There is Mr. Speaker:

Mr. Speaker: The first item on the agenda will be correspondence. No correspondence, have we any reports of committees? Have we any notices of motion and resolution.

Mr. Thompson: I have one motion concerning the Alaska Highway system.

NOTICE OF MOTION

Mr. Speaker: Have we any further notices of motion. Mr. Taylor would you please take the chair for a moment.

Mr. Shaw: I have a notice of motion in relation to Klondike Restoration.

Motion # 53.

Mr. Speaker: Thank you Mr. Taylor. Have we any further notices of motion? Have we any notices of motion for the production of papers? If not, we will proceed to the next item which is motions and we have #50. Mr. Thompson.

Mr. Thompson: Yes Mr. Speaker, Motion #50, moved by myself and seconded by Mr. Southam, "In the opinion of Council Administration should prepare estimates for 1966-67 to include provision for the senior legal advisor and two assistant advisors to perform the following functions:
(1) Advise Territorial Council and Territorial Department Heads;
(2) To prepare draft legislation for discussion and acceptance as to principle and later enactment;
(3) To act as Registrar of Land Titles, Joint Stock Companies, Administrator, Securities;
(4) To take all prosecution;
(5) To act for the Territory in civil matters; and
(6) To prepare all contracts, agreements, and to attend as advisor with the Financial Advisory Committee and other committees of Council at the direction of the Committee."
May I proceed?

MOTION #50

Mr. Speaker: Proceed Mr. Thompson.

Mr. Thompson: Well, gentlemen, you realize that by deleting the Justice Vote in the Main Estimate we left ourselves in a rather untenable position by not having made allowance for our own Legal Department and for this reason I have submitted this motion and I think that this covers all the extingencies that would be required and this would carry us over for the 1966-1967 period and give us the necessary funds to operate and operate sufficiently and give us the sufficient staff to perform the duties of the Legal Department. I don't think I have anything further Mr. Speaker.

Mr. Speaker: Any further discussions on Motion #50?

Mr. Taylor: I agree Mr. Speaker with the additions to the Legal Advisory but I think it should be recognized at the same time whether Council agrees or disagrees with the Justice budget it has been clearly stated by Commissioner that these monies would be expended.

MOTION #50 Mr. Southam: Mr. Speaker, as seconder of the motion I certainly agree with it and will certainly vote for it but I certainly think we are understaffed and I do think it is time Mr. Legal Advisor got some help. This would help out considerably and there is no doubt about it that if we are ever going to run these departments then it is about time we got some staff to run it. You can't run an industry with a wheelbarrow and neither can you run a department with nobody to help. Therefore I certainly agree and it pretty well states here what we had in mind when I seconded it and there is no doubt about it after what we went through in this session that there is some help needed and badly and the sooner we get it the better.

Mr. Boyd: We have been told that in order to satisfy our previous request whereby our Legal Advisor be Territorially employed, this motion went through sometime ago, we have been told that there has been a man from the Justice Department in Ottawa being sent to the Yukon to talk about it. This was six months ago and the man hasn't gotten here yet as they are too busy, real busy. Now, we are just as busy and probably...well I will leave it at that, just as busy. If we don't make arrangements for our own protection here then I think we are going to be waiting on these gentlemen from Ottawa until they find a time when they are not too busy. In lieu of the wages paid or offered I think they are going to be busy a long time as they are not going to get any new lawyers. So, we must get something here that we can control ourselves.

MOTION

CARRIED

Mr. Speaker: Question, are you agreed with the motion? Are there any contrary? The motion is carried. We next have

MOTION #51 Motion #51. Mr. Thompson.

Mr. Thompson: Motion #51, moved by myself and seconded by Mr. Southam, re: Amendment to "Agreement with the Catholic Episcopal Corporation and the Yukon Territorial Government, "it is the opinion of Council that certain amendments to the Catholic Episcopal Agreement with the Yukon Territorial Government should be instituted. In keeping with recommendations made by the Superintendent of Education and in order to further clarify this agreement it is recommended that the following sections be amended:

- (1) In section 2 and 2(c) wherever grades one to nine is written, it should be changed to read "grades one to seven".
- (2) Section 3 should be revised so that the intent would be that secondary grades would not be taught in a separate school unless the minimum enrolment in each secondary grade to be taught was 20 students." May I proceed Mr. Speaker?

Mr. Speaker: Proceed, Mr. Thompson.

Mr. Thompson: Mr. Speaker, there is considerable back-ground information regarding this question Mr. Speaker and I think with the concurrence of Council that this be set over to be discussed when we go into committee as a whole, if this is agreeable to Council.

Mr. Watt: I agree with the motion and the amendments to the motion but I would like to have a little bit of time to have a look at this. This agreement that we are talking about took this Council and a previous Council quite a few weeks. There is an agreement between two parties and I don't think it can be broken or changed without the consent of both. I would like to have it referred until tomorrow morning. This is something that was thrown at us in a hurry. This motion was introduced to us yesterday and the first time I have seen it was today. I would ask that it be referred to committee tomorrow and not today after orders of the day. That would give us a day to think about it.

Mr. Speaker: Would you care to make a motion to that effect
Mr. Watt? MOTION #51

Mr. Watt: Yes, Mr. Speaker, I move that this be referred to committee immediately after orders of the day tomorrow. I think we should think about it.

Mr. Taylor: I don't see why this can't be discussed at any time. I don't see any reason for deferral. I think when committee does get around to it would be fine but I see no reason to defer it.

Mr. Speaker: Did you wish to say something Mr. Boyd.

Mr. Boyd: Yes, this is the first time I have looked at the motion too but I feel that after it has been discussed I am capable of making up my mind or postponing it until next Fall. After we have discussed it I will be prepared to vote for it one way or another without deferring it.

Mr. Speaker: We have a motion to dispense with this matter, I should say deferred, to committee and we are in a position of having to proceed with this in Council as we are so doing and it is not possible under our rules that the mover can make an amendment to his motion. If we do not have a seconder we will have to undertake this at this time.

Mr. Taylor: I would move this motion be referred to committee of a whole.

Mr. Boyd: I second it.

Mr. Speaker: It has been moved by Councillor Taylor and seconded by Councillor Boyd that Motion #51 be referred to committee of a whole. Are you ready for the question. Agreed? Contrary. The motion is carried. That, gentlemen completes the motions that we have on hand. Have we any questions this morning?

QUESTIONS

Mr. Boyd: Mr. Speaker, I have a question on the order paper and I hear from the sidewalks of Whitehorse that some claim to know who the new Commissioner is. I would like to find out if this is true and I would like to find out right quick in as much as we are about to vote considerable amounts of money to an unknown quantity and if anybody knows we should know.

Mr. Speaker: Who do you think could give you the answer Mr. Boyd?

Mr. Boyd: It could go through the Clerk but I think the Commissioner should get a telex off to Ottawa right away and either deny or confirm the rumors. QUESTION #27

Mr. Speaker: Can you get any information relating to question #27 Mr. Clerk?

Mr. Clerk: I have nothing to add this morning. I can ask again.

Mr. Speaker: Apparently there are rumors circulating and I haven't heard the rumors myself. We would like to verify them or not. Have we any further questions?

Mr. Boyd: Do I understand that the Clerk will be acting forthwith and not waiting until tomorrow morning about my request.

Mr. Speaker: In about ten minutes.

Mr. Speaker: Have we any further questions? If not we will proceed to the next item namely public bills. We have a bill for third reading.

BILL #1 Mr. Boyd: Mr. Speaker, I would move that Bill #1 be given third reading.

Mr. Southam: I will second the motion.

THIRD READING Mr. Speaker: It has been moved by Councillor Boyd and seconded by Councillor Southam that Bill #1 be given third reading at this time. Are you ready for the question. Agreed? Contrary? Motion carried.

Mr. Taylor: I believe that the motion would be out of order. I believe that what we first must do is give first and second reading.

Mr. Speaker: You are quite correct.

Mr. Clerk: We gave that first and second reading yesterday.

Passed House Mr. Boyd: I would move that the title to Bill #1 be accepted as written.

Mr. Southam: I second it.

Mr. Speaker: Moved by Councillor Boyd and seconded by Mr. Southam that the title to Bill #1 be accepted as written. Are you ready for the question? Agreed? Contrary? Motion is carried and Bill #1 has passed this House.

BILL #16 Mr. Boyd: I beg leave to move that third reading be given to Bill #16.

Mr. Southam: I will second the motion.

THIRD READING Mr. Speaker: It has been moved by Councillor Boyd and seconded by Councillor Southam that Bill #16 be given third reading. Are you ready for the question? Are you agreed with the motion? Contrary? Motion carried.

Mr. Boyd: I move that the title to Bill #16 be accepted as written.

Mr. Southam: I second it.

BILL #16 PASSED Mr. Speaker: It has been moved by Councillor Boyd and seconded by Councillor Southam that the title to Bill #16 be accepted as written. Are you ready for the question. Agreed? Contrary? Motion is carried and Bill #16 has passed this House.

BILL #17 Mr. Boyd: I would move that Bill #17 be given third reading.

THIRD READING Mr. Southam: I second it.

Mr. Speaker: It has been moved by Councillor Boyd and seconded by Councillor Southam that Bill #17 be given third reading. Are you ready for the question? Agreed? Contrary? The motion is carried.

PASSED Mr. Boyd: I move that the title to Bill #17 be accepted as written.

Mr. Southam: I second it.

Mr. Speaker: It has been moved by Councillor Boyd and seconded by Councillor Southam that the title to Bill #17 be accepted as written. Ready for the question. Motion is carried and Bill #17 has passed this House.

Mr. Speaker: What is your pleasure at this time gentlemen?

Mr. Taylor: Mr. Speaker, respectfully, I must go back to Bill #1. If we didn't give it first and second reading this morning the Bill would be quite out of order. The matter was only referred out of committee last evening and I am most positive it wasn't given first and second reading. I feel that this is an important Bill and in order to set things correct to move that first reading be given to Bill #1.

Mr. Speaker: Mr. Taylor, we have to have first and second reading before we can discuss any Bill in committee so therefore we gave first and second reading to an amended Bill and I would say that this has had it's proper reading and it is in order. If we did not have the reading of the amended Bill we would not have been able to discuss it in committee which we did yesterday.

Mr. Taylor: I would like to direct a question to Mr. Legal Advisor. Is my interpretation correct?

Mr. Legal Advisor: Mr. Speaker, I must only suggest that we check the Votes & Proceedings on this point. At the moment there seems to be some dispute. Councillor Taylor's suggestion may be correct. May we take some time and check the Votes & Proceedings.

Mr. Speaker: I am quite sure of the facts as they are but we can check into this and report later.

Mr. Taylor: My only concern is that if anyone wants to challenge this legislation at a later date this may be an opportune way of doing it. My point to Mr. Legal Advisor was that if this Bill wasn't reported out of committee until last night.

Mr. Speaker: I think that you will find everything in order. We will proceed to the next item of business.

Mr. Boyd: I would move that the Speaker leave the chair for the purpose of convening into the committee as a whole to discuss Bills, sessional papers, etc.

Mr. Southam: I second that motion.

Mr. Speaker: It has been moved by Councillor Boyd and seconded by Councillor Southam that the Speaker leave the chair and Council resolve itself in committee as a whole to discuss Bills, memorandums, sessional papers, etc. I would bring it to your attention that we have Bill #14 and Bill #4 and at two o'clock we have a meeting with the Mayor and the delegation from the City of Whitehorse.

Mr. Thompson: There is one other item that hasn't been discussed and although it was not included in our financial agreement for this year, it is the liquor control budget as supplied to us in a separate paper and there are two or three questions that I would like to ask of the Director of Liquor Control Board and I am wondering if this could be included in the matters to be discussed.

Mr. Speaker: That sounds quite reasonable and you could bring it to the attention of the chairman of committees.

Mr. MacKinnon: I also have a question in to the Superintendent of Liquor and maybe we could maybe deal with that at the same time.

Mr. Speaker: Are you ready for the question? Agreed? Mr. Chairman will now take the chair.

MOTION #51 Mr. Southam: I will call this committee to order and we have Mr. Harry Thompson, Superintendent of Schools with us. We will discuss Motion #51. This is your motion Mr. Thompson, will you say something, I should say Councillor Thompson.

Mr. Thompson: As you are or are not aware this agreement was dated the thirtieth of April, 1962 and was between the Commissioner of the Yukon Territory and the Catholic Episcopal Corporation of Whitehorse on behalf of and representing the Roman Catholic residents of the Yukon Territory and they are referred to in this as the Corporation. Gentlemen, this agreement was brought into being four years ago and the motion suggests two small changes. Now, section 2 in the original agreement reads as follows, "with respect to grades one to nine, both inclusive, where three or more Roman Catholic parents, each of whom appears on the tax roll of the Yukon Territory or of a municipality in the Yukon Territory residing in an area of not more than 25 square miles petition the Commissioner for a separate school providing grades one to nine inclusive for that area". It goes on to an a, b, and c, but that is all that is required for a background for the proposed change that instead of it reading grades one to nine it reads grades one to seven.....now, in section c of two it reads "that the enrolment in any other school providing grades one to nine both inclusive in that area operated by the government of the Yukon Territory for children regardless of the religion of the parents will not fall below 26 during the four years immediately following the date of the petition and this is also asked to read one to seven. That is section 2 and section 2(c). Section 3 of the original agreement reads, "where a separate school has been established pursuant to subsection two of this section and the Commissioner is satisfied that there are residing in the area for which the separate school was established, children of Roman Catholic parents who in the opinion are eligible to attend grades 10, 11, and 12, and whose parents wish them to be educated separate and apart from children of Non-Catholic parents, the Commissioner may, (a) for where the children in number is 12 or less arrange for their instruction in grades 10, 11 and 12, in the separate school which was established, and (b) where the number of such children is more than 12 if it is not in his opinion economical to do so establish, operate and maintain for that area a separate type school providing grades 10, 11, and 12." Now that is the basis for section 3 and the amendment would be to revise this section so that the intent would be that secondary grades would be taught in a separate school unless the minimum enrolment of each secondary grade to be taught was 22. Now that is the original agreement between the Commissioner and the Catholic-Episcopal corporation. In February of this year while reviewing estimates the Financial Advisory Committee asked the Superintendent of Schools to examine the school enrolment picture in the Territory to see where where economies could be effected without prejudicing the education which our young people are receiving or the intent of the agreement with the Catholic Episcopal Corporation of Whitehorse where it may apply and to examine the agreement of the Catholic Episcopal Corporation of Whitehorse and in the light of our experience with it over the past four years, and further from the context of changes following the report and we ask that these amendments be produced. It was suggested that these examinations be conducted with four basic premises in mind. One, is that action already taken or contemplated is educationally sound, that the arrangements that exist or is contemplated can be financially justified, that the arrangements in effect or contemplated are in the best interests of the children and their parents and of the interests of the

Mr. Thompson continues.....

Catholic Episcopal Corporation of Whitehorse where applicable are protected. I think gentlemen in every instance these four basic premises have been followed. Now, it was the recommendation of the Superintendent of Education that these two amendments be proposed to the Catholic Episcopal Corporation. These were presented to us and we suggested background to these suggested amendments come from notes, the original agreement signed in 1962 has proved satisfactory except in the area except in the areas where it deals with the secondary grades. In the Territory we follow by choice the curriculum and the organization of the Province of British Columbia. The committee on education agreed that this choice in 1960 should be followed; following the implementation of the Chant Report in B.C., certain major changes have taken place in the educational system and it is because of these changes that in the system that ~~these~~ requested amendments have been brought forward. Now, we held a special meeting in the Commissioner's office on the first of April, and those persons present were Commissioner Cameron, Mr. Fingland, Father Studer, Mrs. Alfred, Mr. Bolger, Mr. Thompson, Mr. Flemming, and myself. Now, the matter was discussed at considerable length and just to give you some background Father Studer presented a list of terms which were presented by the Christ the King School Advisory Committee and they concerned whether to continue or discontinue grades 10 and 11 in Christ the King School and the meeting agreed on certain terms and conditions "that Christ the King School is established as a secondary school for junior and senior grades and the decision to discontinue grades 11 and 12 or only grade 12 for any particular year would be the practical solution to the problems of enrolment and the decision to resume teaching the grade or grades would have to be the **perogative** of the Catholic Episcopal Corporation on behalf and representing the Catholic parents wishes and desires and that the Catholic Episcopal Corporation share with the Department of Education the responsibility of making Christ the King into a full high school serving **all** Catholic secondary students in the Yukon Territory. In the measure and at the rate made possible by existing conditions and available means. This presumes the implementation of the express policy of the Department of Education to have grades 11 and 12 taught only in Whitehorse. Now, following that submission there were comments pro and con and there is a two page document here concerning that meeting but after that meeting it was primarily decided that any changes would be made with letter of intent but this did not give teeth to the original agreement which was suggested by the Department of Education and to which the Financial Advisory Committee concurred. This was that these amendments would be implemented so there would be a definite basis to come to any concrete agreement or understanding and not have anything left up in the air. Now, after the meeting it was brought to our attention that or at least it was intimated that no one had taken notes. The original minutes were prepared by Mr. Flemming and after the minutes were circulated Father Studer, on behalf of the Catholic Episcopal Corporation made certain observations which varied from what other people thought had transpired. So there was a letter from Father Studer to the Commissioner and a further letter from the Commissioner to the Catholic Episcopal Corporation and finally a further letter from the Catholic Episcopal Corporation and then a letter from the Commissioner to them and then after all that there is a letter from Mr. Bolger in Ottawa which is also a little bit hazy in parts. So, with all of this change of heart or change of mind I thought that in as much as the Financial Advisory Committee had asked for these recommendations I feel that they are not unduly hard on any one person or any group of people. I feel as I have said

Motion
#51

Motion #51

Mr. Thompson continues..... that the four basic premises of the amendments that have been asked for, both parties have been taken care of and there shouldn't be any disagreement. There is only one matter which I myself stand corrected on. During our original meeting in the Commissioner's office Father Studer asked me directly a question concerning "may I also mention at one point I asked Councillor Thompson if the criticism of the Financial Advisory Committee was directed at, (a) academic standard of the school or (b) the economic factor, or (c) any other factor". In his reply he stated that it was motivated by the economic reasons only. This gentlemen are precisely my feelings. I have noted here in Mr. Thompson's report to the Financial Advisory Committee and the Territorial Administration that the proposed action was definitely educational sound. The F.H. Collins is much larger and is in a position to offer a broader program of offerings and to have teachers who specialize in one or two subjects. In the June, 1965 B.C. Departmental Exams written by students in grades 11 and 12, 89% of the papers in the Collins School received passing grades compared to 57% in the Christ the King School. I came upon that later but as I said our primary concern is one of economics and I just bring you that to substantiate my point. I feel that these amendments are quite within reason. As I stated previously I don't think there will be any difference in the overall operation of the program and I feel this will give the necessary backing to the agreement that has been requested and is needed to make this a more workable agreement.

Mr. Southam: At this time gentlemen, I will call a short recess to change stenographers.

RECESS

Tuesday, May 10, 1966.
11:00 o'clock a.m.

Mr. Southam: I will call this Committee to order. We are discussing Motion No. 51. We will carry on with the discussions. MOTION #51

Mr. Taylor: Mr. Chairman, I would like to direct a question to Mr. Thompson, our Superintendent of Education. It seems, from what has been stated, that this matter has not been entirely reconciled, or I get that inference. I wonder if Mr. Thompson could just outline what the position is of the Department of Education in respect of this.

Mr. Thompson: Mr. Chairman, Councillor Thompson has made reference to the recommendations which I made to the Commissioner with regard to changes in the Agreement with the Catholic Episcopal Corporation. These recommendations were given as guides to action at the meeting which Councillor Thompson referred to. It was felt that rather than opening up this Agreement to revision that the task at hand could be better served by an exchange of letters and exchange of thinking. My own feeling is, and I think that I am speaking for the Commissioner in this regard, that a sensible and reasonable working compromise has been reached. Quite frankly, I think we have come much farther than I felt that we could come along some months ago. St. Mary's School which, as you know, has had a very...increasingly smaller enrollment over the years, will be closed at the end of the current school year. This was mentioned in my memorandum to the Commissioner. In Whitehorse, it was my recommendation, in view of the very small enrolments in Grades 11 and 12, that these two grades should not be taught in Christ the King School until the enrollment increased substantially, and the Catholic Episcopal Corporation is agreeable to this. These two grades will not be taught in Whitehorse next year and this has been achieved through, I think, mutual understanding and a reasonable approach on the part of both parties. In Watson Lake, I did recommend that the separate school should teach grades 1 to 7. The school there has been teaching grades 1 to 8 and it is the wish of the parents, the Advisory Committee, to continue teaching these two grades, and I don't think it is an unreasonable request and that it will impinge in any way on the economics of the situation because if Grade 8 is kept in St. Anne's School, it will not mean the addition of an additional teacher. If it were put in the other school, it would not affect the situation in any way. I feel that actually all the Administration set out to obtain with the Catholic Episcopal Corporation has been attained through this exchange of thinking and exchange of letters and, frankly, I don't know of any useful purpose that could be served by opening up the Agreement to further negotiation and possibly ill feeling and so on. I feel there is a reasonable understanding now. I should like to see the matter left the way it is.

Mr. Taylor: It does raise an interesting question and that is that if this is agreed to, then there should be no real problem.....would it?

Mr. Thompson: I am sorry. I cannot answer that question. I know at the meeting that Father Studor did raise the point... he felt very strongly that the Bishop did not wish the Agreement open for renegotiation, and Mr. Bolger, speaking on behalf of Northern Affairs and National Resources, concurred in this view. The point is, of course, what more would be obtained by amending the Agreement than has been obtained through an exchange of letters?

MOTION #51

Mr. Taylor: Mr. Chairman, they generally say throughout private enterprise and I am sure, in many cases, in Government, that if you are going to do business, you should do it in a business-like way and sometimes just understandings are not sufficient. What I did infer was that if everybody is agreed on both sides of the fence in this respect, there seems to be no problem in amending the Agreement accordingly. However, if there is disagreement in this field, then, of course, this is a product for negotiation.

Mr. Shaw: Well, Mr. Chairman, I started on this particular thing in 1958...the first thing that struck me when I landed here. I didn't know anything about it and, to be quite frank, I don't know a great deal more about it right now, eight years later; however, there were quite a number of sessions in which it was evolved in a fairly relatively successful manner. It just depended on which side of the fence you were on. We have to accept though that, as time goes on, things do change, particularly in education. We have, since that time and since that Agreement was first made...I think the educational system is broken down into three classifications rather than two. The elementary school was one to eight and from there on, it was high school. Later on, it was broken down into elementary, junior high and senior high so that there is a change there which...it might have some effect on the Agreement because that was one to eight and eight to twelve. However, the facts are that an Agreement was entered into and an Agreement is an Agreement. I think I stated the same thing on the Agreement we have with the R.C.M.P. If you make a deal, you make a deal...whether it's good, bad or indifferent, that's not the point and the only way that you can get out of that or resolve it...I shouldn't say get out of it...I should say resolve it...is by the mutual agreement of all the parties concerned. We can pass resolutions here until we are blue in the face but all it does in this matter is indicate what we feel is a sensible approach to the situation. We have, then, a matter of whether or not the other signatures to the agreement will agree with this. Now, in this particular matter, my viewpoint or my stand has always been that I am not opposed to any separate schools in the Territory, provided we do not have uneconomic duplication and, of course, always there has been in my mind, the effects this policy might have on the education of the children. I think that we, as Canadian citizens, should all feel that our primary objective should be the education of the children. Now, according to what Mr. Thompson has just read and I will agree...I hadn't investigated the situation in all its facets...but according to your report, Mr. Thompson, of the grades ten and eleven or eleven and twelve or whatever it may be, somewhere in that category, in Collins High School, you had 89% of the children pass. In the Christ the King School, there were 57%. Now, that raises a very good point. It raises a very good point that I think that the Episcopal Corporation would be very wise to look at very carefully. Their children are not producing, or absorbing, knowledge as well as the children in a larger, better equipped school. 57% of the grades are grades that you get somewhat in the Mayo and Dawson...now I don't know the exact percentage, but it's much lower than it would be in the Collins High School...for the simple reason that they do not have the facilities.

Mr. Shaw continues:

They do not have the specialized teachers. A teacher has to teach two or three different subjects and perhaps...they are just not...they don't specialize in this particular subject...and I have seen by experience that those are the subjects that the children fail...and that includes my own children. They did fine right through school. They went to St. Mary's School and I would state that they got an excellent education while they were there...up to grade eight. They went fine for a couple of years and then, of course, when they got into small grades in eleven and twelve, then it really got tough and their grades suffered...not only they themselves, but the other children in the neighborhood. It's unfortunate...it's just one of those things but we can't do much about it because the distances that are involved in the Yukon Territory are so great. In Whitehorse, where you have these facilities, I would feel that the parents of the children that get 57% passing grades should analyze that very, very carefully...are they doing their children a justice by giving them a second quality education when they could have a first. By second quality, I am referring...I use that term meaning that there hasn't been specialized teachers for the specialized subjects. It would appear to me that the Government and the members of this Corporation and the Committee, such as we have had, could well get together and discuss this very open minded again and then sit down and make an agreement that would be satisfactory to all concerned. There is nothing wrong about this at all. That's the way you do things. You negotiate from its various angles. I quite agree with this Motion of Mr. Thompson's when we consider what the result is going to be to the children. I don't take any other factors into consideration in this respect. The results of what would happen to the children, in this case, would be good as far as I can see it. However, as I have pointed out, I agree with what is lined out here. It appears to me that the Corporation pretty well agrees with it. I don't know all the ramifications of it. I see no reason why we can't get together and make up an agreement that will fit in with today's educational standards and policy with the objective in view of giving their children the best education possible in a...with the views to quality with the economy that is involved because you can't get enough teachers...and you have almost tutors in there. We must look at it from an economic aspect. That's all I have to say on the matter, Mr. Chairman. Those are my viewpoints.

Mr. Boyd: Well, Mr. Chairman, in the first place, the thing that I concern myself with is the cost of education, and surely we, as people, are not, in this day and age, wanting to tax ourselves beyond what is only common sense. There is nothing as far as the results in the schools is concerned...there is no difference in the children. None whatever. They play together. They live together and they work together and they end up in this world the same way as anybody else. There is no difference, but if we institute a system that doesn't function, then who is getting shortchanged? Everybody, including the children, and we are the ones that are shortchanging them. You have shortchanged the parents. You have shortchanged the children and we've shortchanged the taxpayer so we must use a system that is the best regardless...we can't afford to branch off like a man with two heads and one body because it just doesn't work that way. Wherever we find

MOTION #51 Mr. Boyd continues:

ourselves creating a duplication, with the cost of education what it is, I am sure I, as a parent, don't want to see it and I don't know that any other parent really wants to see it, but if we create that situation and there is a duplication caused because of reasons, then whoever wants those duplications, I can see nothing to do other than either eliminate the duplication or be prepared to pay for it. The Department, as far as I am concerned, has not been functioning well, and I don't blame the Department. Not one iota. You can't function adequately if you've got obstacles to deal with and you have to deal with too many separate things. When you are dealing with three thousand children, you can't spread them around and classify them too easily and...always with success. Somebody, in the long run, is going to fall short, but if we have the conditions that are here, they must be written out and spelled out as far as I am concerned. I have run into this situation where today we agree but tomorrow we are not here, or somebody moved and somebody doesn't agree. He's got another thought and unless it's in writing, you have nothing. We have had this thing proven to us at this table, daily. I don't say this with any disrespect. The intentions may all be good, and are, at the time, but when you buy a piece of ground, you don't trust nobody. You are going to own that ground for a lifetime and you want to be sure that you do own it and that nobody changes your mind for you. I think it is only good business. I hope I have made myself clear where I stand as far as the education end of it goes...simply, let's not shortchange ourselves or our pupils and I feel that all parents, regardless of who they are, are quite prepared to look at it from this angle. I would like to ask Mr. Thompson...I noticed he refrained from mentioning...not deliberately possibly... seven and eight. There is a proposal here concerning seven and eight and has Mr. Thompson anything to say progressive-wise on this as to what has been accomplished. Is there agreement here or are we still where we were before insofar as the changing of these grades?

Mr. Thompson: The amendment referred to in section 2 of 2(c), wherever grades one to nine is written, it should be changed to read grades one to seven. The only separate school in the Territory to which this section would relate at the present time is St. Anne's School. Now, under the terms of the Agreement, St. Anne's School could teach from grades one to nine inclusive, however, it does not. It teaches grades one to eight and I think it does this because of the appreciation of the parents and the School Advisory Committee and the Catholic Episcopal Corporation that a small school, a three room school such as St. Anne's, is simply not in a position to do a good job at the grade nine level that the secondary school there could do, so I think, despite the fact that the Agreement does give the Catholic Episcopal Corporation the right to teach up to and including grade nine, through an understanding of the situation, it does not have that school teach beyond grade eight. The feeling of the parents in Watson Lake, the Roman Catholic parents, is that they would like to see the school continue to teach to, and including, grade eight. As I indicated in my earlier remarks, I don't feel that this, at this time, this is a strong point of issue. The fact that the school continues to teach grade eight will not affect the economic situation one iota. It will not necessitate an additional teacher. Perhaps the time may come when, through understanding, they will be quite agreeable to having this school teach to just grade seven. However, there has been compromise already in respect to the Agreement.

Mr. Boyd: Mr. Thompson, do you consider it compromise or do you consider it a step towards better education? Better programming? More workable and logical from the point of education?

MOTION #51

Mr. Thompson: Well, Mr. Chairman, my own philosophy in regard to these matters is that I don't feel that I can force my thinking, or what I consider to be the right course of action, down anyone's throat and I feel that there are areas where a reasonable, workable compromise can be reached and I feel that this is one of them. If the parents and the Catholic Episcopal Corporation wish to teach grades one to eight in St. Anne's School, I feel that grade eight is not an elementary grade. It is a secondary grade. It would be better taught in a secondary school. I don't feel that this is such an important matter that it should be forced down the throats of the parents. There are other areas, quite apart from the Separate School Agreement in the Territory, where I could point out the same thing is happening. For example, in some of our smaller schools along the highway, they are teaching up to and including grade nine. Granted, there isn't a secondary school in the community, but my own feeling is, and I think I am speaking for other members of the...professional members of the Department, that we would prefer to see these students come into Whitehorse for their grade nine. We feel that they could receive a much better education in Whitehorse, however, if the parents, as yet, do not appreciate this... they think very strongly that they would rather have their children stay at Haines Junction and take their grade nine... we will go along with it. I think that eventually they will see the light in this matter. I had indications just recently that at least one of the parents appreciated the problem involved.

Mr. Taylor: Mr. Chairman, this is generally...this topic of this Agreement is considered to be somewhat of a bomb. You can see the fuse is burning, but you're not sure when it's going to explode. I took part in debates over this over the past five years...this matter of separate schools and this Agreement...its formulation and its application.. and, as other members, I had to make some decisions in respect of this which were highly unpopular in many circles. There seems to be about a fifty-fifty split on separate schools. However, it does seem to me that if we make an agreement of any sort...we negotiate a five-year agreement and we renegotiate it from time to time, that is to say every five years and we spell out what we will do and the Federal Government spells out what they will do and we are bound to live by that agreement. The only way that we can detract from that agreement is to renegotiate it and in that agreement we set forth those terms which we must live by. Now, I think that here, if we have a situation where the Episcopal Corporation and the Territorial Government, Department of Education, be it who it will, are agreed to carry out something and to undertake a change or a departure from the original agreement, then I feel that there should be no compunction on either side about renegotiating the agreement, setting out the terms as agreed to by both parties. I feel that it is just a straight matter of business. This should be done and then everybody knows where they stand. Then, if for any reason, the Territorial Government break faith, the Catholic Episcopal Corporation have the right to stand up and be heard on the subject and the legal right. Consequently, it works in reverse. I think this is an important point. This ensures that everybody keeps on their toes and does what they agreed to do. In this respect, I would state that if everybody is agreed here, there is no problem. It might take a little time to get up and resign

MOTION #51 Mr. Taylor continues:
it and redraft it, but I am in agreement with this. I feel that this should be changed and amended according to what...

Mr. Boyd: Mr. Chairman, I wonder if we couldn't come to a conclusion by, shall we say, voting on the Motion. I would like to vote on it and pass it. I would like to see it passed with the understanding that negotiations be started with the Episcopal Association to correct any inadequacies that now exist if they are such and see what happens.

Mr. Watt: Mr. Chairman, Mr. Boyd....I have listened to Mr. Boyd and everybody else around the table. I think they can listen to the other members that want to speak. I think there are still three who haven't spoken yet on this particular item. I think that, basically, all parents in the Territory, regardless of religion or ethnic origin or anything else, want the best education that they can possibly get for their children. From what I understand, I would just like to ask Mr. Thompson one brief question. Up to this date, has the Catholic Episcopal Corporation complied with the terms of the Agreement as set out?

Mr. Thompson: Yes, they have.

Mr. Watt: They have. Thank you. Now, if they have complied with their terms in the Agreement....we have had a couple of Members here say that this should all be done in a business-like way. It should be in writing, but we have something in writing now and one party has complied with the terms of their agreement and the other party, on their own, without getting a hearing from the other side right now, want to change it. This is what we are doing. We are one side.... the Department of Education and the Commissioner...one side of the story...and the Catholic Episcopal Corporation is the other side of the story. Now we are changing it without their approval. We have already been told that there is an understanding. Mr. Boyd said we should pass this with the understanding that negotiations should start. We have already been told that there is negotiations that have already been completed. An agreement has been reached without opening up this Agreement. The strongest argument that has been given in favour of opening up the Agreement is that a larger percentage of students are getting passing grades in F. H. Collins rather than the other school. This could depend upon different things, but the Department of Education and the Catholic Episcopal Corporation have, if there is changes that are needed, they have already taken steps and we have been given the assurance that the steps have already been taken to improve the situation if it can be improved. We have already been given that assurance. This has already been done. As far as I can see, this is a violation of trust. If we don't complete this Agreement... this is a different situation than the Police Agreement. In that particular Agreement, we kept voting money, voting money, voting money and voting money and they weren't complying with the terms of their Agreement. We all agreed that they weren't complying with the terms of the Agreement. In this case, there are two parties to a contract and both parties to date have complied with the agreement. Both parties to date have complied with the agreement until this Motion came up. Now, this is a Motion where one party, on its own, without any negotiation, without any getting together, is saying "We are just going to change the Law here and we are going to violate the agreement on our own". To me, Mr. Chairman, if our word is no good and the other party is complying with the terms of the agreement...and our word

Mr. Watt continues:

is no good here, then our word is no good for the Five Year Agreement, for any City contracts that we have or for any other type of business that we have. I wouldn't want to do business, either personally, or politically, or any other way with anybody that thinks this way. I think that everybody, particularly all parents, are concerned most of all....more than anything else...with the best education that they can possibly get for their children, and I am concerned about the amount of money that is being spent on education. Mr. Thompson has suggested that there is only one situation where this recommendation could have any change in the Territory right now and that is in Watson Lake and it doesn't change the economics of the situation. This Motion, if it were to be non-discriminatory....without discriminating against a religious group, then I think it should concern other schools...like Territorial Schools in Haines Junction that has just been mentioned. I think this is just picking out a group of people and we are passing legislation which is discriminatory. This is what I believe we are doing here. So, all I can say is, Mr. Chairman, that I think that...Mr. Thompson has already suggested that the situation is well in hand right now and negotiations are being completed....are completed now...for the changing in the number of students and agreement has been reached between the Catholic Episcopal Corporation and the Department of Education with respect to this. This has already been done and this Committee that Mr. Thompson had been a member of has made a recommendation that legislation not be passed. We have been told that they made a recommendation that this be done through letter and through negotiation and not by opening up this Agreement. Mr. Thompson...he never presented a report to us...a Report of Committee. This is the first time I have heard of this recommendation of that Committee. They recommended that any changes being done at this time be done through negotiation and not through changes in the Agreement itself. I don't think it would particularly hurt the Catholic Episcopal Corporation. I think that what will probably happen is that School Boards will be established and legislation is set up for School Boards. School Boards would be established and instead of us hiring the teachers, the School Boards will be hiring teachers. You may have two or three of them in the Territory. We may be all vying for the same teacher...trying to hire the same teacher from each other...and you get two or three School Boards all going after one teacher...one trying to get a good teacher and the other one raising the price and the other one raising the price a little bit higher. I don't think this is helping the taxpayer any. The taxpayer of the Yukon Territory is at a disadvantage if anything. I think that our cost of education...taxes in the whole Territory will go up considerably if this were done. And, if this Motion is passed, and it appears as though it might be, then actually what we are doing is saying that we have unilaterally agreed to change this Agreement. We, on our own, have passed legislation, saying that this is no longer an agreement. We have, on our own, said "Well, you have complied with the terms of your agreement and we are just going to pass legislation here and disregard the agreement altogether". This is what we are doing. I think that if we do that the word of the Territorial Council, in all agreements, will not be worth the paper that they are written on. That is it in black and white.

MOTION #51 Mr. Boyd: Well, there is many things that I should talk about but I am only going to talk about the very last few remarks that Mr. Watt made that we are changing this Agreement, or wishing to change it, without any consideration for anybody else and that things are already working. What has happened, as I see it, is Mr. Thompson has already entered into an agreement, mutual understanding only, written where.. I don't know. I don't see it before me and I haven't seen it. He is doing things now that don't coincide with the agreement. The agreement is already dislocated. We are doing something that is not in the agreement, and if Mr. Thompson were to disappear, who would know where we stood. This is carrying this a little far, but this is the principle that we are on and if we are going to do something, then let's have it....if we have agreed to something...if both sides of the group have agreed to something as Mr. Thompson says, first of all, I would think...I would want thoroughly understood and not left in the hands of a few people. It should be on record so that the next Council coming along can know what they are talking about. We are going to be talking about this agreement and we find out that it's not even being adhered to. It could happen and it may happen unless it's in writing and we know where we stand. We would be asked for things that are left here, at this time, considered to be of no use, or not necessary or that they should be used and yet we don't change them. This is what Mr. Watt is suggesting.

Mr. Watt: Mr. Chairman, I would just like to clarify that last statement of Mr. Boyd's. I think there is a different situation in what Mr. Thompson is doing right now in that it's an agreement of both parties of the agreement that they agree that...to make a change in it, together and this is what this Committee has recommended. Wherever Mr. Thompson and the Commissioner, on behalf of the Territory, and the Catholic Episcopal Corporation agree upon something together, then it's quite all right. To me it is quite all right, but if Mr. Thompson agrees upon it by himself, then it's not all right. You just put the shoe on the other foot now. What if the Catholic Episcopal Corporation jumped up and down and said "Well, we're not going to comply with some terms of this agreement"? Well, you'd be jumping up on your high horse and saying "Well, you have got to". Right at the beginning of the Agreement...they made this Agreement and one of the parts of the Agreement was that they were to sell us the school and then they turned around after signing the Agreement and said "Well, we are not going to sell you the school now". Well, we would say that there is no longer an Agreement. This is a breach of trust and we would be jumping up on our high horse and rightly so. The situation, the way it is right now, with the negotiation Mr. Thompson has suggested has already been done, satisfactorily, to both parties...it has been agreed upon by both parties. Just like any two individuals, if they have a contract and they, together agree to disregard a small part of it, it is completely legal, but if one party comes along and says "Well, I don't agree with it, therefore it's no longer an agreement", well, this is, to me, it's something a person doesn't do in business or politics or anything else.

Mr. MacKinnon: Mr. Chairman, I can only agree with Mr. Watt's saying...we have various schools in my district...Haines Junction, Carmacks, 1202, 1083. We have, undoubtedly, been encouraging grades to be taught up to the grade nine and, now, if we are to turn around and change another agreement and cut their grades to seven, then I don't believe this is right, and we are trying to step the grades up in all areas of the Yukon.. not cut them back...and this would be discrimination against the Episcopal Corporation. I don't think that it is proper at

Mr. MacKinnon continues:

this time to make any of this type of change. It would affect, undoubtedly, the progress of the school at Haines Junction and possibly, in the future, 1202 and 1083, and therefore I am forced to vote against this Motion. I think it would have been far better had this type of Motion never been presented at this time.

Councillor Thompson: Mr. Chairman, I don't want to have this construed as if I am trying to cut off debate by standing in, but I would like to ask Mr. Thompson one question. Could you tell me, Sir, when the Chant Report of British Columbia was accepted or implemented?

Mr. Thompson: I believe the Chant Report appeared in 1960. The implementation of the recommendations took place in the ensuing years. It wasn't a full scale implementation in any one year....are you referring specifically, Councillor Thompson, to the reorganization of the grades...grades one to seven as elementary, grades eight to twelve secondary? This took place around 1962. It was very shortly after the Report appeared.

Councillor Thompson: Could I ask a supplementary question, Mr. Chairman? As you say, grades one to seven inclusive have been established as elementary grades and eight to ten have been established as secondary grades and then there has been a complete revamping of the courses and programs in the secondary.

Mr. Thompson: Eight to twelve are the secondary. Eight to ten are the junior secondary and eleven to twelve are the senior secondary.

Councillor Thompson: The affect of the Amendments, then, would be just in keeping in keeping with the recommendations of the Chant Report.

Mr. Thompson: Yes.

Mr. Southam: Mr. Thompson, will you take the chair, please? As seconder of the Motion, naturally I should say a few words. Also, I have probably had as much to do with education as any of you having raised a family, quite successfully I hope and in the High School that they went to...it was a High School that had 800 to 1000 pupils. Their senior fourth, as they called it, or their first grade in High School, when my young lad started, had a class of 181 which had to be split up naturally. Now, as I see it, what we are talking about is the economic reasons for these things that we are trying to get, especially in the grades eleven and twelve classes in Christ the King School. As I understood it, last year there was approximately six or seven pupils in this particular school where they could have been absorbed in F. H. Collins High School, and it is my opinion, and it always will be my opinion, that you must have competition if you are going to get anywheres with education. You can have one or two children in school. They can be as brilliant as you like and yet they can come up with barely passing grades, but if you have the competition, you get some place. Now, I know what I am speaking about because I have seen it. I have seen it in the past. I have seen it now. I have also seen it up in the Elsa School....where you have been teaching grades one to nine...and it is my opinion that a teacher today cannot teach a half a dozen grades successfully. This is my opinion. You have got to have specialized teaching and, therefore, if you have your teachers here, and you do have them, this is the place for them to be taught. Now, if you have a class of

MOTION #51 Mr. Southam continues:

six or seven, whatever the case was...I just forget the exact figures now...and you have room in the F.H. Collins School and you also want to put another room or something on to this particular school, isn't it better to move these children over there for the time being until you get a big enough class that you can absorb them and have the competent teachers to teach them. My opinion in this is that this is what we should do. We should economize some way or the other. I don't believe in cheap education. My own has been too cheap and this is the reason I am here now. This is my opinion. If I would have had a better education, or a chance, I would probably be some place else...it might be behind the bars for all I know... However, it is something which, in my opinion, we cannot cheapen. You get what you pay for and it doesn't matter what you are buying. This is what you get, but competition is the life of trade and it goes the same thing down the line...education...no matter where you go. Now, in grades one to seven, if this is so, for the schools, why isn't it so for all of them? Let us have one system. Let us standardize. This is my opinion. I do not think, in my own mind, that once a child gets to grade seven and then in grade eight and nine, if he's taught in a one-room school or a three-room school or whatever the case might be, where the teacher, the particular teacher, has to teach probably twenty-five, thirty, or forty children, that he or she has the same ability to do so. In the High School today, as we know, a teacher teaches on one or two subjects alone. Therefore, if you have these teachers, this is where they should be taught, and until such time as this school gets a quota, shall we say...it says twenty here.. students...I think that we should abide by this Motion here and this is the reason I seconded it, for one thing, and I also seconded it for the reason that I have already stated. I have raised a family and I know what education means to anybody. There's nobody knows better than myself what education means. Thank you, Mr. Thompson.

Mr. Taylor: I notice the hour of noon is approaching and I think we have discussed this at pretty fair length. As I state, it all boils down, to me, that if both the Catholic Episcopal Corporation and the Department of Education are acting in good faith, there should be no problem with amending this Agreement. If one, or either, or both, are not acting in good faith, then it should be amended, so I think it's a clear cut sort of a proposition and I would vote in favour of the Motion.

Mr. Watt: Mr. Chairman, I just would like to say that the sooner that Council realizes that our job is legislation and Administration's job is administration, and I have a lot of faith in the Administration's ability right now on this matter, and I think they are doing a good job in this respect, and I don't think that we should interfere with their work and I wouldn't like them to interfere in our job in legislation. I can say that I am glad that this is simply a Motion, moved by Mr. Thompson, seconded by Mr. Southam, and it is not an Ordinance, and it's up to the Administration, the Commissioner, to do with it as they wish and I hope that they act in a way that it doesn't cast inflections on the ability of Council in the future to negotiate agreements of any kind on behalf of the people of the Yukon Territory.

Mr. MacKinnon: Mr. Chairman, I would like to ask Superintendent Thompson a question as to adapting this Motion and, if it is adhered to by Administration, will this later affect our schools in the Carmacks-Kluane district like Haines Junction and Carmacks at the present time in cutting down on grades?

Mr. Thompson: Mr. Chairman, I would say not necessarily. MOTION #51

Mr. Shaw: Mr. Chairman, there has been quite some talk about breaking agreements....justify breaking one and no justification for breaking the other. I would say that there's no justification for breaking any agreement. It can't be justified. We have an Agreement with this Corporation that states that they can have the grade eight, as was stated before, and apparently it's working very well in Watson Lake. There doesn't seem to be any trouble. It's economical and sound and they are getting good education facilities there. I would have no reason to say, or indicate, that that should be stopped. This does stop it. In agreeing with this Motion, it would stop it...perhaps. I don't know. This is, I think, more or less of a guide line on what is to be discussed. The Corporation itself will have to agree with this particular matter because it is a solemn agreement entered into so I am prepared to go along with the Motion on that particular basis. Why do people abstain from voting? Well, there is one part of this Motion that I can't agree with in respect...the grade eight is working fine. I see no reason why it can't continue. On the other hand, I do think that there should be a minimum amount of pupils in the school if it is possible to give them the best of education. So, there we have one thing I might agree with and one thing I might not. I will agree with the Motion insofar as I do feel that it has been five or six years since this Agreement was first entered into and that if these people get together, there is no reason they cannot draw up one that would fit more in with modern days. However, we do have the situation, Mr. Chairman, that if one of the parties do not wish to do anything about it, well, I guess that they don't wish to do anything about it and that is the situation. It's not forcing anybody to do anything. It is asking for negotiations that will be agreeable on both sides. I think that is sound. There is nothing wrong with that. I agree with Mr. Southam when he said we must give every facility to our children, particularly in the higher grades. Now, they need competition. I agree with that. That, I think, will be taken under advisement by all the parties concerned, particularly by the Episcopal Corporation when they think what the results of their Agreement or negotiations will be in respect of their children. I think that should get prior right...the education of their children. Therefore, as I say, in relation to my remarks, I will agree with this. I think it's about time that the people got together and said "Well, let's see if we can make this a little better for all concerned" and it will be up to them to negotiate..... No one is going to be forced. It's merely a modern way of doing things without breaking....

MOTION CARRIED

MOTION #51
CARRIED

Mr. Southam: The Motion is carried. Mr. Watt and Mr. MacKinnon contrary. At this time, gentlemen, I will call a recess and we will reconvene at 2:00 P.M.

Tuesday, 2:00 p.m.
May 10, 1966

Mr. Southam: I will call this committee back to order and we will discuss Bill #6. We have with us this afternoon Mrs. Stark and Mr. Spray.

BILL #6

Mr. Taylor: Possibly we would have Mr. Legal advisor give us a run down on the matters he has ready before us in reference to Bill #6.

Mr. Legal Advisor: Mr. Chairman, before I get started on that I should mention that the amendments that the committee called for are in process of preparation at the moment. It is just typing now. You have in front of you notes that I put together over the weekend because the City through the Mayor of Whitehorse was asking for section 135 to be changed to fair actual value. I have looked at the Alberta Act and they say that even though it was passed in 1960 just the sections dealing with value and value improvements have undergone two or three facelifting jobs. Before getting into detail if committee would consider, if you give the City the fair actual and references to the detail of the Alberta technique whether you will disturb the existing basis for the doling out of municipal grants. There must be some formula that the Territorial government relies on to ascertain the value of what the City is really going to be next year. If you get a violent disturbance in there you may have to reexamine the whole schmozzle of calculating the grants. Then, if the City does expand you may find that the residents of the areas which are picked up will be confused or possibly victims of high taxation for a year until their assessments are adjusted. It is convenient to keep the assessment technique for the Territory as close as possible to the assessment technique in the City, say Porter Creek, you add that into the City and they don't know where they are. Now, these are the backbones of it. Now if you take section 6 of the Alberta Act, 1960, they are just trying to say in section 135 they are just trying to say "land shall be assessed at its fair actual value exclusive of the improvements thereof". That is an easy change to make but in the Alberta Act having said that when you get to section 8 they are already having to provide themselves with ways and means of determining what they mean and how the assessors should go about it. So then they start saying "in determining value for assessment purposes, an assessor shall apply the standards and methods prescribed pursuant to the Municipalities Assessment and Equalization Act, and shall assess in accordance with any regulations under the Act." You will have that in front of you, I thought in order to spare you in having to have it read out I thought I would set it in front of you. It goes on to deal with the fact that if the standard and methods of assessment have not been prescribed, etc. and etc., they go on, "the assessor shall assess the property in a manner that is equitable and uniform with the assessments of that and other kinds of property throughout the municipality." In other words, if nobody has provided the rules well use common sense and a sense of clearness. So, you are back to square number one immediately. Presumably the rules have been made to epitomize clearness and common sense and if they haven't made any rules then the assessor has got to use common sense and play it by ear. That is what it is really saying in Alberta. Now, I have set out material there showing where the changes have been made since 1960. That is why you have a section put in that I have drawn a line through it when Alberta changed it's mind. Passing on I would ignore their by-law provisions on sub-divisions and so on which you have their, section 8 (a) and section 8 (b), you have in front of you, and it seems only applicable in municipal areas where they have

BILL #6

subdivisions and have passed values. It is put before you just as a matter of record. I don't want you to note anything more than it's existence. Now, if you will go to the reference which is 1963, now the assessor says, "in determining the value of land an assessor shall have regard to any advantages or disadvantages of the location, the quality of the soil, any profitable use that may reasonably be made of the land, the benefit to the land of an irrigation or drainage project, and such other considerations as the Assessment Commissioner may from time to time direct". Well, ignore this next bit about section 7 which is dealing with improvements. I have just noted it there for you to glance at at your leisure. If you go to where I have noted a comparison of section 13 of our Taxation Ordinance and section 135 of the Municipal Ordinance, that is page 4 on the typed copy, you will see that I have tried to match the provisions of the Taxation Ordinance against those in the Municipal Ordinance. I have done that because the Territorial Taxation Assessment Ordinance seems to work quite well but it doesn't in the City or hasn't in the last year or two, and I am suggesting that it is not because of a deficiency in the section. It works well in the Territory and I would expect it to work well in the City. I suggest that the assessor in the City must have misunderstood his instructions. This is the only thing that I can conclude because it doesn't really call for a change. I have stated that at some length in the typescript and I am suggesting that you provide such other considerations as the assessor may deem proper and you are giving him enough elbow room then for him to use his common sense, to use his expert knowledge. Now, if you do accept the City's position then I have drafted a suggested form for 135 and I have said, "(1) of 135, Land shall be assessed at its fair actual value exclusive of any improvements thereon. (2) Fair actual value shall be ascertained by reference to the standards, methods and regulations from time to time in force or prescribed for the use of assessors under the Assessment Act of the Province of Alberta". If you want to adopt the Alberta standards. Now, this is what I understand that there was a request from the City and I point out marginally that I consider this type of adaptation very unwise. If you look back you will see how often Alberta is changing it's mind about the methods in use and if they can't be consistent you are putting yourself in some danger. So, I say we can go to section 23 alternatively and use that to determine the value of the land. When you look at Section 33 of the Alberta Act side by side of the Section 135 of the Municipal Ordinance, you find that they are virtually the same animal. For instance, the Municipal Ordinance says you have got to take into consideration the advantages or disadvantages of location, now that is exactly what Section 23 of the Alberta Act says. The Alberta Act says they can consider the quality of the soil. So, what has been gained by picking up Section 23, nothing. The Alberta Act says you must take into consideration any profitable use that may reasonably be made of the land, well our Ordinance says any profitable use that may reasonably be made of the land. Now, I am paraphrasing now. Now in Alberta they take into consideration the benefit of irrigational drainage, you may feel this is part of the general consideration. We don't have that. Then in Alberta it says "such other considerations as the Assessment Commissioner may from time to time direct". Is there any real difference in saying the Municipal Council? I suggest in committee what Section 23 of the Alberta Act, you can make a small change but have other suggestions that the City Council may have. The Council would have a more clear cut position to give directions but even if the Council is given the authority it must be consistent directions, ones that will keep a balance of the assessment picture clear across town. Not these violent

Mr. Legal Advisor continues.....

switches from one lot to another, \$15,000 on one property and BILL #6 \$1500 on the adjoining property and so on. No directions, no authority will enable the City or the Assessor and anyone to allow extortions like that, there must be some valid acceptable justification for it. So I am bound to advise the committee that I am doubtful as to whether anything will be gained if Section 23 of the Alberta Act is imported into the Municipal Ordinance but if it is to continue and the continued wish of Council then I have outlined the proposal and would make a small change and give the power to the Municipal Council and you have before you Section 135 and Subsection one and two as suggested if this is what you want to have.

Mr. Taylor: I am just wondering if possibly our Territorial Land Assessor can give us some directions or comments and practical applications.

Mr. Clerk: Mr. Chairman, if I may, there are a couple things that I would like to say. I would like to thank you for saying Mr. Hughes with your kind remark about the Territorial Taxation Ordinance being better than the City assessment procedure. However, I can see on the first page of this edition from Mr. Hughes the exact meaning, the taxation works better in the Territory because we don't have any zoning and we don't have any commercial and residential areas as such. So, that everybody gets an equitable assessment on their land regardless of where it is. Now, this is what we have been trying to get into the City Ordinance to give the City assessor the right to assess the land and take into consideration the use factor and this as Mr. Hughes has set out gives you that section. That is at the bottom of the page, subsection 3, "Notwithstanding anything in this Act, where an action taken pursuant to the Town and Rural Planning Act or The Planning Act has the effect of prescribing", and I can only interpret it as where a city by-law is in effect of doing the same thing, "for land used for residential purposes or for a parcel of land used for agricultural purposes, some use other than its actual use, the assessor shall, until such time as the land is used for the purpose designated, assess the land according to its residential or agricultural use, as the cause may be." That is for the City to allow them to do what they are doing in residential areas. If a lot is in a commercial area then it is given commercial assessment. But, in commercial areas if there is a residence it is given residential. That is what has caused all the trouble and that is the basis of my appeal for the last two years.

Mr. Taylor: Possibly Mrs. Stark may have something to say.

Mrs. Stark: All I might add is the discussions with the Alberta Assessors and with Judge Parker, they have felt Section 135 was clear enough except that fair actual value left a doubt as to what was meant by fair actual value. It left a question in your mind, in other words, they didn't have any trouble but thought a section could be added where the Municipal Council may from time to time act, this is very difficult, the Council is only in term for two years and they would be unfamiliar and they would be advising me to do it. This is what happened before and this is why we went to court.

Mr. Clerk: Could Mr. Hughes answer my question?

Mr. Legal Advisor: In respect to the member from Second Avenue, South, the position I think is covered by other conditions as the assessor may deem proper and if the assessor gives some

BILL #6

Mr. Legal Advisor continues.....
 weighting to the effective zones, he must give a sensible allowance. I don't myself think that it is necessary to get him to spell it out what he is to do about zoning. It hasn't been found necessary in other places. I have been looking at the Ontario and I haven't quite completed the matching of the amendments, but if you want, then you can say fair actual value shall be ascertained by the methods and standards and be enforced. This is the first suggestion I made but I wouldn't recommend it, but subscribe to the Alberta Act and then you have complete authority to pick up these incidentals. You can refer back to the Municipalities and Organizations Act but then I come to my head note and I think it is a very important thing that when a person has a tax levied the most untrained person should be able to sit down and figure out just what exactly has been done. I suggest that we go into the business of interpreting the Alberta Act and importing you are making assessments unintelligible to the taxpayer and almost too involved for the lawyer and where only experts with sliderules may adventure. I think you will be undermining the taxpayers confidence in the fairness of the deal he is getting. If you have to go into Alberta to borrow their methods it is better to have a day in court here battling out assessment and on rules you understand than rules you can't see through. However, if you want to do it all right. My own view is that it is not necessary if the assessor will use common sense and courage.

Mr. Shaw: I talked on this the other day in reference to the assessed value and how that would fit in with the Territorial School Tax and therefore I feel that however there is a change it must not be inconsistent with the general idea because it puts it on a narrow basis for whatever may be said by the various municipalities. At the same time we have before this Council a matter that concerns the Municipalities primarily and doesn't concern the whole Territory so therefore, when we assess you are doing a different type of assessment. We find that we are dealing with something that is essentially municipal. We will enurther then and say under the Ordinance such and such and under prescribed limits and amongst these authorities they have the power to assess people on their property within the municipalities. We may have some certain restrictions but they are somewhat general. I do not believe that the municipality of Dawson has any zones. I might be incorrect in a true sense of the word, they would naturally have some in one sense of the word. However, in the City of Whitehorse we have these by-laws which apparently create the problems with which we are faced with today and we are trying to come up with an Ordinance to set the assessors policy. It would occur to me that this is something that the authority should be in the hands of the municipality, in the hands of the people. It appears to me that as far as the assessing goes, if it meets with the approval of the Commissioner, why should they not be allowed to draw up their by-laws in regard to assessing. Why should it come before the Council, this is a local matter. This is what the City Council is for.

Mr. MacKinnon: In regard to the comments by the Legal Advisor I would like to ask Mr. Clerk if he feels the tax assessor has the courage and common sense required to keep us out of trouble by adapting this document as it is.

Mr. Clerk: Mr. Chairman, I was quite interested in Mr. Hughes remarks as I am also the Territorial Tax Assessor. The last appeal was thrown out because of the fact that the City Council was told that their assessment was against the law and they

Mr. Clerk continues.....
 couldn't legally do that. I went to our Legal Advisor and asked what was meant and he couldn't tell me, and I went to the lawyer that the City Council had brought up here and we asked him point blank what was against the law and he didn't see fit to tell us. I went to the Crown Prosecutor Collins and asked and he couldn't tell me. No one has been able to tell me yet either. This is why I get so mad when I get all this run around and then the Legal Advisor says the assessor has all the power he needs in the Ordinance. Yet, when he does it the Judge throws it out and says it is against the law. Now this is ridiculous. I would like to get the answer.

Mr. Boyd: I wonder why Mr. Clerk didn't go to the man who made the decision and he might have had a starting point.

Mr. Legal Advisor: I am not sure that the judge has been correctly quoted in what he said at that time. I do point out that we do have a type of zoning in the Territory. You go down the highway to McRae and you have zoning prohibitions, a set back of 350 feet, this is a zoning prohibition and this doesn't seem to give any trouble at all. So, I make those two points, I am not sure that the Judge hasn't been misquoted and that we do have a type of zoning.

Mr. Southam: Mr. Thompson will you take the chair please. Personally and I still say that this is a matter for the City of Whitehorse and I agree with Councillor Shaw that they could bring in a by-law about this assessing. But it seems to me this is the City business and not Territorial business. I am pleased to hear that the Territory is so well looked after and I think the City should be able to do the same thing. When I was in town a few years ago they zoned it and my taxes went up and I sold it and let somebody else take it over and then there was finally a brewery built. But, I got out of it.

Mr. Legal Advisor: Would it be your wish to take what I have suggested, would you want to have considerations as the City Council by by-law may direct. They can have that and the City Council will be completely the author of their own fate.

Mr. Shaw: That is my wish, I think that the City Council should be the author of their own fate in this respect. This is their business and that is what they are put in there, provided it is not inconsistent, but they should have the authority. It must be universal and fair but I would like to see the Legal Advisor revise this Ordinance in this way.

Mr. Thompson: I am just wondering if it would be in order to ask the Honourable Judge to come before us and give us his interpretation. We have had much confusion on all sides and the Territorial Tax Assessor feels that he has never been told why it was unlawful and the Legal Advisor feels that there are some inadequacies and I wonder if the Judge would give us his interpretation it might clarify a few things.

Mr. MacKinnon: I believe that Mr. Thompson has a very good idea and I would certainly like to hear from the Judge before further on this matter. There is one thing I would like to bring up. We have just gotten this document at noon today and I would have liked to have had time to look into it a little more. Why was this not put before Council yesterday at recess instead of today at noon when it does not give us the proper chance to study it and it is very very hard to vote on something that you just read while there is conversation going on. Is there some reason why this was not distributed before now to us?

BILL #6

Mr. Legal Advisor: I followed the usual procedure in making it available and I don't know when it was distributed. And, could I suggest in regards to the judge that it isn't customary to question a judge about his decision. It would be a nice thing to do but we can't. This is what lawyer's get paid for.....to figure out the decisions of the judge.

Mr. MacKinnon: As an elected representative I would like to get the facts and I don't care whether it is from a Legal Advisor or a Judge. I don't see just because of a persons living or another. We are here to do the best we can for the people and I think Judge Parker could assist us in this matter.

Mr. Clerk: I want to add to that question as to why the document wasn't distributed. These are only documents and they are for you to follow along with the discussions, you are not voting on anything on this paper.

Mr. Legal Advisor: That is right Mr. Clerk, it is a sample of how section 135 should go and that is where it runs on pages 3 and 4 and is based on the Alberta Act. These are only suggestions. It represents a large portion of my weekend.

Mr. MacKinnon: When we have had a chance to read it I am sure that it will be appreciated.

Mr. Taylor: We have been through this document since two o'clock and I might say that it seems to me that the Legal Advisor is quite correct that this isn't quite required at this point. The question is to whether we are going to let the City Council use it's own judgement in regards to assessment and I would concur with those members who have felt that the City should have this power. If the proposed amendment would be included I would say that we should be getting on with it and have the by-law drafted.

Mrs. Stark: I think this would be a good set up. We can set-up a by-law and these have to go through the Commissioner so if we did get off the beaten track he could always straighten us out.

Mr. Thompson: My only comment is that I take it there will be no appreciative change in the section 135 other than these subsections a,b,c,d,e, added. Is this correct.

Mr. Legal Advisor: What it amounts to is that you will add on to it "and such other considerations that the Municipal Council by by-law will direct". That about covers it.

Mr. Legal Advisor: It would go something like this, Section 135 of the Ordinance is hereby repealed and the following substituted therefore. I will follow the tabular method as used in Alberta.

Mr. Thompson: There will be no reference in this amended section to land or reference to fair actual value.

Mr. Legal Advisor: No, I don't think very much is gained but if the Clerk expresses a wish to have actual in there I could put that in there as well.

Mrs. Stark: Myself it is quite clear but the assessors felt it would make it clearer.

Mr. MacKinnon: Well, Mr. Hughes, this is quite confusing and I presume we are dealing with section 135. Mr. Firth did make reference to using the words "fair actual value" based on willing sellers to willing buyers and he wanted that adapted into this section and we shouldn't overlook it.

Mrs. Stark: To add the section about the willing buyer and the BILL #6 willing seller?

Mr. MacKinnon: Yes Mr. Chairman, fair actual value based on informed willing sellers and willing buyers.

Mrs. Stark: I can't really comment on that because I had never heard of that before the other day.

Mr. MacKinnon: It was just a point that the Mayor had made and I was wondering what the purpose of this statement.

Mr. Shaw: In the mind of the Mayor his remarks were to the effect that the words should be in there because in the Alberta Act it was stated. Our efforts before have always ended up in the past in court and I think we should leave it to the City to do.

Mr. Legal Advisor: I remember the Mayor and the point he brought up and there is always room for improvement and may I suggest that we should provide such standards, methods, and other considerations and allow the Municipal Council to subscribe this. Just as our Commissioner can lay down decisions, and just as the Assessment Councillor in Alberta. If the City Council wishes to take up some of the points from Alberta then they will have the power to do that.

Mr. Taylor: I think we are going round and round and getting no where. In order to be expedient here I would like to move in order that Mr. Legal Advisor draft up an amendment to section 135 of the Municipal Ordinance as outlined in much discussion here.

Mr. MacKinnon: I don't think that a motion is here required.

Mr. Legal Advisor: If I may, I could draft up this legislation and take it in to the member from Watson Lake and then if he wants to bring it in as an amendment then he may.

Mr. Boyd: This (e) here if this was implemented wouldn't that be satisfactory instead of writing it down again.

Mr. Legal Advisor: May I bring it back after recess.

Mr. Southam: At this time I will call a short recess.

RECESS

Tuesday, May 10, 1966.
3:30 o'clock p.m.

Mr. Southam: I will call the Committee to order and we will continue where we left off. BILL #6

Mr. Taylor: Mr. Chairman, during recess we drafted a proposed amendment, and I would like to move this amendment at this time that Bill No. 6 be further amended as follows: Section 135. Lands shall be assessed at their fair actual value, and in determining the value of land, the assessor shall have regard to (a) the advantages and disadvantages of location; (b) the quality of soil; (c) the annual rental value that, in his opinion, the lands are worth for any purpose to which they may reasonably be put; (d) the value of any standing timber; (e) such matters as the Municipal Council may by by-law from time to time direct; and (f) such other considerations as the assessor may deem proper. AMENDMENT TO BILL #6

Mr. MacKinnon: Just one question, Mr. Chairman. What's the advantage in the quality of soil? Will that have any bearing...is somebody going to go into farming or gardening?

Mr. Taylor: Possibly I should...I was just waiting for a seconder....

Mr. Shaw: I'll second that Motion, Mr. Chairman.

Mr. Taylor: Thank you, Mr. Shaw. In respect of this, (a), (b), (c), (d) and (f) are all included in the present section. We have actually added the term "fair actual value" and in section (e) the power of the Municipality to make by-laws respecting this.

Mr. MacKinnon: Mr. Chairman, I don't see any sense to this soil testing. Where is this going to bring you? The soil will test more fertile in a swamp, under water. Is this going to have something to do with the value?

Mr. Legal Advisor: Mr. Chairman, it's in there...it's put in their to guide the assessor, but if you had a swamp in a commercial zone, the assessor would have to take that into consideration. You couldn't put up a skyscraper on poor ground. So, it's just not the fertility of the soil. It's the quality of the soil and whether building is possible on a location. This is how you interpret that. After all, we have got in there "the value of any standing timber". Well, there's not very much timber standing in Whitehorse that has noticeable value and that's been in there for years and years. Alberta doesn't have that, but we have it in our Taxation Ordinance as well.

Mr. Southam reads the Amendment to Bill No. 6, as proposed.

Mr. Taylor: Mr. Chairman, I would just like to ask Mr. Legal Advisor one question. What would be the difference in the proposed Amendment between "other considerations" and "such matter" in sub (e)?

Mr. Legal Advisor: The word "matter" was put in there because we are trying to avoid the word "considerations" again, but it can be just "considerations" in both places really.

MOTION CARRIED MOTION CARRIED

Mr. Taylor: Mr. Chairman, I wonder now if Mr. Legal Advisor could have prepared a new Bill, showing the Amendments,

BILL #6

Mr. Taylor continues: and I would like to, at this time, express my thanks to Mrs. Stark and to other Members of the Whitehorse City Council who have stayed with us during these long deliberations to ensure that we did a proper job on the Municipal Ordinance and I would suggest that Mrs. Stark, at this time, could be excused.

All: Agreed.

Mr. Shaw: Mr. Chairman, there is a matter that I have been going to attend to for quite some time. I wonder if I could be excused for about ten minutes to go up to the Commissioner's office.

All: Agreed.

Mr. Southam: I will declare a short recess.

Mr. Southam: I will call the Committee to order. What is your pleasure at this time, gentlemen?

BILL #12

Mr. Taylor: Mr. Chairman, in view of the fact that Mr. Legal Advisor is still with us, I wonder if we could now deal with Bill No. 12. I would certainly like to see the whole Bill discussed but it appears that this would be an impossibility at this particular moment, regretfully, but certainly, I feel that Part II of the Minimum Wages should be discussed.

Mr. Legal Advisor: Mr. Chairman, I was wondering if, despite the Councillors suggestion, I could take that written copy of the Amendment upstairs and get that launched because there is quite a bit of fitting to be done, unless the Clerk of the Council can arrange for it to be done tomorrow morning.

All: Agreed.

Mr. Southam: I assume that Mr. Legal Advisor will be back right away. We will go on to Bill No. 12. Part II, page three. Do you want the title of the Bill?

Mr. Taylor: Yes, you will have to read the title for sure.

Mr. Boyd: Mr. Chairman, I think you could read the title and what we are going to deal with. Anything else, to me, would be a waste of time...not only because it is time, but because we are going to read it again at a later period.

Mr. Taylor: Mr. Chairman, in respect of this Bill, I would like to direct a question to the Legal Advisor. In adopting Part II, would we not have to include section 1, Short Title; 2. Interpretation; 3. Application?

Mr. Legal Advisor: You would need the title. I am not too sure what interpretation portions are in. If you are going straight to the Minimum Wage...you would need portions of the Interpretation section because an employer has to be defined, an employee has to be defined, and you have to give the Commissioner some regulation making power if you are just going to pick up 11 (a).

Mr. Taylor: Mr. Chairman, wouldn't you require sections 3 and 4 to make this workable?

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Mr. Legal Advisor: Well, the Council has expressed itself, BILL #12 Mr. Chairman, on the subject of inclusion of....everybody... yes, you would have to define the extent of the....under section 3. You would have to have 4 in there to pick the matter up beyond doubt. I don't think you would need sections 5, 6, 7, 8, 9. I don't think you would need 12.

Mr. Taylor: I believe, Mr. Chairman, that we may possibly require section 34.

Mr. Legal Advisor: The Councillor is ahead of me. Yes, 34 (2)...if you are going to have inquiries or an Inspector.. somebody armed with authority...or some equivalent section. If Council just wants to concentrate on Minimum Wage, it might almost be better to have...to do away with 34 and drop some equivalent section in rather than trying to pick up these.....you would want 46, possibly. I would have to sit down and go through it very carefully. I could possibly have it ready by tomorrow lunch time.

Mr. MacKinnon: Yes, Mr. Chairman, as I have read a portion of this, you would be dealing with almost the whole Bill in order to justify the minimum wage scale, and I think this will run into days of debate. I believe we haven't much to gain by just adapting this one particular thing and I don't know of anybody who is getting less than the Minimum Wage Scale at the present time. I believe the entire Bill should get first choice in the fall and then maybe the Administration will have a chance to present a Bill of their own on Labour Legislation, based on Council's wishes...on discussions... prior to this Session. Just to pass this Minimum Wage, for instance, is not going to be of any great accomplishment, and I have talked to several different people and...by adapting this only, you are going to find that fringe benefits, at the present time, more than out weigh the outlined minimum wage rate and these fringe benefits will no longer exist. I think we have to go deeper into this and cover it from several different angles.

Mr. Legal Advisor: Mr. Chairman, it has been suggested to me that this might be treated as an Amendment to the Labour Provisions Ordinance...have this tacked on to the Labour Provisions as the Minimum Wage set, in which case you would have to amend the Title as well. That would be an interesting approach. I do believe I could have the Minimum Wage section and supporting sections...the first draft...back in the hands of the private Member introducing this by quarter to five if I was able to get away and do it now. There's about an hours work getting the first draft out.

Mr. Taylor: Mr. Chairman, yes. This is a must...this basic minimum wage. Council has collectively spoke of this in every Session for many past Sessions. If it would be more expedient to have this Bill shortened down, whittled down to size shall I say, an amendment to it, I would be quite amenable to do that and possibly we could discuss it following Orders of the Day tomorrow morning, if nothing else is on the agenda for that time.

Mr. Boyd: Would that mean, then, that we would be passing the Amendment only and not any portion of it? I wholeheartedly concur.

Mr. Southam: I will call a short recess. At this time, gentlemen, could Mr. Legal Advisor be excused to go to work on this draft to the amendments to the Labour Bill so that we can have it first thing in the morning?

All: Agreed.

Mr. Southam: What is your pleasure now, gentlemen?

Mr. Shaw: Mr. Chairman, we have a bunch of Sessional Papers which I think we could go through.

SESSIONAL PAPER #70

Mr. Southam: We will proceed with Sessional Papers. The first one is Sessional Paper No. 70, re Expo '67. (Reads the Sessional Paper).

SESSIONAL PAPER#74

Mr. Shaw: Mr. Chairman, I think in this case we need to... a bombshell dropped since that time and I think there was more information following this, contained in Sessional Paper No. 74.

Mr. Southam reads Sessional Paper No. 74, re Expo '67.

Mr. Taylor: Mr. Chairman, in order to finalize, as far as Council is concerned, this matter, and clarify it, I think that in view of the circumstances and the excessive cost involved, we will be restricted somewhat in the amount of space that we can financially afford, however, we are well located. There is four hundred square feet here and this is near the main gate to Expo '67 through which, we understand, some thirty million people will be coming and going this summer. I think the proposal, as outlined in Sessional Paper No. 74 is sound and I am quite confident that we will have all the financial support required from both Ottawa and the Territorial level so I would move that Council are of the opinion that the Yukon do participate in Expo '67 as outlined in Sessional Paper No. 74.

Mr. Shaw: I'll second the Motion, Mr. Chairman.

Mr. Boyd: I just wanted to ask one question, Mr. Chairman. This is being backed by Ottawa...the \$35-24,000 was..and this remains on the same basis in principle....changed another way...would Council want to think about it again? In other words, will Ottawa go for this?

Mr. Taylor: In answer to that, Mr. Chairman, the Commissioner has indicated that he feels that the \$50,000.00 referred to here would be considered a reasonable amount and the Minister has given us his assurance that he would assist us in any reasonable amount. I think the situation is really unchanged there.

MOTION THAT SESSIONAL PAPER #74 BE AGREED WITH

Moved by Councillor Taylor, seconded by Councillor Shaw, that Council are of the opinion that the Yukon do participate in Expo '67 as outlined in Sessional Paper No. 74.

Mr. MacKinnon: Yes, Mr. Chairman, I have a question. I don't exactly know who to direct it to. We are speaking of \$50,000.00 for the rental of this four hundred square feet, but we will also have to have money for the display and this might cost us \$20,000.00. Am I right in my thinking that the \$50,000.00 is straight rental for the space?

Mr. Taylor: Mr. Chairman, I can answer that, I think, by just reading from the Sessional Paper which I believe everyone has here, "cost \$50,000 for display space, decoration and design, shipment of supplies, staff, etc., for the duration of Expo". It's an all inclusive thing, except possibly for those items which we may wish to take from our Museum and place on display down there and even that is paid for. It's an all inclusive deal.

MOTION CARRIED

MOTION CARRIED

Mr. Southam: The next one is Sessional Paper No. 71, re Question No. 25 - L.P.R.T. Service at Swift River. SESSIONAL PAPER #71

Mr. Taylor: I just wanted to say that this is the third year of asking, I think, on the old basis of ask for it today and you get it three years from now.

Mr. Thompson: Mr. Chairman, on that basis then, Whitehorse can conceivably expect twenty-four hour service in 1970.

Mr. Southam: Sessional Paper No. 72, re Question No. 10, Yukon Forest Service. SESSIONAL PAPER #72

Mr. Taylor: Mr. Chairman, this is, of course, a question that I raised earlier in the Session. It is interesting to note that this is being turned over to the Committee formed to formulate and draft our Five Year Fiscal Agreement, but it's interesting to note that we didn't have any Yukon representatives on the last Committee to draft this arrangement, or this Agreement, and I hope, and I sincerely trust that the Territorial and Federal Administrations will get together... Territorial representative that is on this Committee this year. Having respect to the Forest Service, I feel very very strongly that this is something that could'under Territorial Administration and control, and I very much hope this will come in the new Five Year Agreement.

Mr. MacKinnon: Mr. Chairman, I am sure we will get this with autonomy.

Mr. Southam: Sessional Paper No. 73, re Question No. 26, Position re lands. SESSIONAL PAPER #73

Mr. MacKinnon: Agreed.

Mr. Boyd: What is Mr. MacKinnon agreeing to, Mr. Chairman?

Mr. Shaw: What does P.C. stand for, Mr. Chairman? Post Centennial?

Mr. Boyd: Mr. Chairman, that's my question...answer to it and it's a very long answer to get no answer - a lot of words but nothing said. The thing that I am after is I want them to set the price of the lots that we will be required to pay when they will sell the ground. I don't care if it's a hundred years from now, but let them tell us what that ground is going to cost us. We have buildings on it. We have homes on it. This is no answer. I will leave it at that. I am going to go after Administration again in between now and next fall's Session and I am going to ask them to put the price on because we are now paying for the term of the lease \$125.00...that's every five years. That's the value that they are taking out of us. You can easily see what price we are going to pay for this ground and never own it. That's just not good enough. It's another one of these Ottawa financial gimmicks.

Mr. Shaw: Mr. Chairman, it does state that they would sell Marsh Lake at \$45.00 per acre and Tagish Lake at \$30.00 per acre, but they also state that they won't get around to it until June 1970...until 1970, nothing can be done..."the selling price would be based on the authorized appraisal table which establishes the price of land", but you've got to wait until June 1970 before they get around to it.

SESSIONAL
PAPER #73

Mr. Boyd: And it also states that the minimum price of a small parcel is \$60.00. They don't tell you what they will sell it at. They tell you what the minimum price is...the lowest price. I would like to know what the actual sale price would be.

Mr. Southam: Will you take the Chair, Mr. Boyd? This is question No. 26....a question that I have put, and the reason I have put it is when I was coming down to Council last fall, I brought a lady down with me and she informed me that they have 40 acres which they got surveyed last year and it cost them \$1,000.00 and, also, they wanted more acreage at the time that they got the 40 acres, on lease, and were told at that particular time that they could only have 40 acres. Now, on this particular 40 acres of ground, they have a very nice cottage...I suppose you could call it that...very nice, well built, fine looking place and, also, they have broken about 100 or so acres for growing marsh hay, I guess it is, for their stock. They have about twelve head of cattle....Highland cattle...and also quite a bunch of pack horses, but they are discouraged in this way that they cannot seem to get a title or get any answer from the Surveyor-General...I think you call him...and they have not heard from him since the nine months which the survey was taken and now, they told me, although they are not spreading the word around too greatly, that if they can find a place in B.C. this fall, they are going to pull out and let it go because they have come to the conclusion that the Government don't give a damn about them and also they don't want settlers in this part of the country. This, gentlemen, to me...this happens to be a big game man. I will give you his name...Mr. Louis Brown. You fellows know him as well as I do probably....probably know him better, but this is what they told me, and it seems to me that anybody that has been fifteen years, trying to get a title to a piece of ground in a country this size, where they tell you you can lease, buy or whatever you want to do, and take fifteen years to get it, and nine months after you get it surveyed and pay \$1,000.00 to get a little piece, 40 acres, surveyed, it's about time something was done about this land business. I don't know what the answer is. Probably you gentlemen can tell me. You have been around here longer than I have and probably you are just as frustrated as I am. It seems to me that this is needless. I can't understand it, but these are the words, exactly, as Mrs. Brown told me when I brought her down here about a week ago. I will take the Chair back now, Mr. Boyd.

Mr. MacKinnon: Mr. Chairman, it's like trying to get a National Park.

Mr. Shaw: Mr. Chairman, all I can add, Mr. Chairman, is that this is par for the course and this will continue until we get a little say in our affairs.

Mr. Southam: That is the Sessional Papers, gentlemen? What is your pleasure now?

Mr. Taylor: Mr. Chairman, we have one Motion still sitting in Committee, I believe...Motion No. 19, Wildlife Survey. I was wondering if it would be the intention to having that one withdrawn in view of the fact that we have cleared a Motion respecting this?

Mr. Thompson: Mr. Chairman, according to my records, Motion No. 46, Game Department Development...I don't have any comments....maybe you could refresh my memory. Has this been approved?

Mr. Taylor: Yes, Mr. Chairman, and that also embodied that funds be made available for a complete Game Inventory. I believe Motion No. 19 was left in abeyance.

Mr. Thompson: That is correct. In that case, we can remove that item.

Mr. Southam: We will now go on to Motion No. 42 which reads MOTION #42 as follows: Moved by Mr. MacKinnon, seconded by Mr. Watt, it is respectfully requested that page 3, section 9, subsection (b) "that exceeds four feet in height or eight feet in width" be changed to read "that exceeds eight feet in height or twelve feet in width". Mr. MacKinnon.

Mr. MacKinnon: Thank you, Mr. Chairman. Yes, Mr. Chairman, this sign deal has become quite a problem along the Alaska Highway. As you are well aware, the four by eight sign is very small, especially when you get out of the City Limits where you don't have newspapers and the like of this to advertise in from day to day. It then becomes necessary to have a sign to bring in your business, and advertising has proven very, very profitable to all business. To our type of business on the Highway, radio advertising is not effective because we are dealing mainly with the travelling public, and a very nice sign is an eight by twelve. If it's a proper distance, as the Ordinance now calls for, a certain distance from the Highway, a bigger sign is an awful lot more attractive, easier to read, and creates less of a hazard to the driver. You can have your print much bigger and they can be driving along fifty miles an hour, which is the speed limit, and read the sign quite clearly without any difficulty. Further to this, there is an awful lot of signs on the highway at the present time that exceed the four by eight, which is thirty-two square feet, and the R.C.M.P. have now decided that they are going to allow two months... I talked to the Superintendent of Highways...and he has personally went to the R.C.M.P. and they are going to, within two months, notify all owners of signs over four by eight to take their signs down. Now, the D.P.W. have no objections to the signs that exceed this size. This is quite clear. I have discussed it with Mr. Koropatnick and Mr. Bakke, also, the Superintendent of the Northern Alaska Highway. If we cannot make this change, it's going to cost a lot of our taxpayers hundreds of dollars to have new signs made and they will be forced to destroy signs that have cost upwards of \$1200.00 for as much as two signs. Therefore, I feel it is very necessary to have this changed, and I will assure you that it is not obstructing the highway in any means. I have been given that assurance by Mr. Bakke, the Highway Superintendent, and I am sure if anybody would like to hear from him that we could ask him to come to this Council and discuss the problem with us.

Mr. Taylor: Mr. Chairman, in respect of signs...boy, do I ever remember the battles that we went through in this House over formulating of signs policy. There was a period of time when it was suggested by the Northwest Highways System that unless a policy was set down and adhered to, that all signs would come down up and down the Highway and we would go for little multiple sign deals with six or eight...little tiny signs...displayed on boards on huge sign boards along the Alaska Highway at the entrance and exits to...the entrances to the communities...the basic community only. So, it was resolved...we came to some agreement with the Northwest Highways System in respect of this and it was a pretty fair agreement, I think. It has worked out very well until now and it seems to be working well, certainly, down in my area. It hasn't created any problems. Four by eight's a pretty big

MOTION #42 Mr. Taylor continues:

sign. Another point to consider is that I have talked to the parties involved here on two or three occasions, and I was informed that their problem was one where they have got a larger sign four by eight displaying several things on it. I asked them if they thought it would be possible to cut their sign down and to put up two signs...make it into two rather than one and they thought well, this may be possible, and I suggested that as a possible compromise but I really and truly and honestly wouldn't want to change and detract from this Agreement that we agreed to with the Northwest Highway System in respect of the size of signs in the Yukon at this time for this one reason. I think that if we do make any changes at all, I think we should approach this with great caution lest the Northwest Highways System people come back as they did a few years ago and this highway signs bit get into another furor and we might come out on the short end of the stick. So, I would suggest that if these gentlemen can, as they indicate, cut their signs in two and put up two signs in favour of the one in order to stay within the present restrictions, that this might be the answer.

Mr. MacKinnon: Mr. Chairman, how can you cut a sign in three pieces? Just how would you attempt to butcher up a sign and come up with anything? Furthermore, you are restricted on the amount of signs, and I wouldn't say things are working very well. I know of two people in this business who has contacted Mr. Taylor and discussed their problem with him and I am honestly telling you that there is a problem, and the signs do need to be bigger. Some of these people are paying up to \$1,000.00 in property tax and we are about to deny them the right of having a proper sign. This is what we are here for is to support the general public. When this flourish is over, this mining flourish, then we will get back to earth and realize where our bottom dollars come from... the steady dollars. I believe that at least we can support the people that much and change a couple of words in this Motor Vehicle Ordinance. Change the four to eight and the eight to twelve. This is not much confusion.

Mr. Taylor: As I say, Mr. Chairman, we made an Agreement with the Northwest Highways System and it has worked well up to this point. I have talked to these two gentlemen referred to here, more or less, and I think they can resolve this problem as has been suggested.

Mr. MacKinnon: Mr. Chairman, it is not a problem with the Highways System. Last evening, I discussed it with Mr. Bakke, and he has made a survey of the Highway North and this is what he told me. If you will give me a few minutes, I would like to call him to Council as a witness, if it's necessary, and you can hear what he has to say. They feel that we must change the Ordinance if we are going to go along with the people and as long as we keep the signs out of their ditches, they have no objections whatsoever and Mr. Koropatnick sent Mr. Bakke on a special trip to make a survey of the sign problem and the sign problem is a threat by the R.C.M.P. to give two months grace and then these signs will have to abide by the present Ordinance, if the Ordinance isn't changed, but we are having two months grace in hopes that the Ordinance will be changed. The R.C.M.P. are taking the action because law is law. When you have it written in the Ordinance, they must see that people go along with the Ordinance. That is the only problem. There is no problem with the D.P.W. and all our Regulations here restrict to so many signs. They restrict as to the locality of signs. This is all going to stay in. We are not asking for anything - only the enlargement of the signs.

Mr. MacKinnon continues:

MOTION #42

There is going to be thousands of dollars worth of signs destroyed this summer if the Ordinance is not changed, and I don't believe this is quite right. I don't think it is asking for much and there are a lot of people involved. Maybe, to some of you, the places along the Highway don't amount to much, but if one goes to close, you hear the howls and the cries, then, wondering what to do. How are the poor people going to get over the Highway if this fellow and that fellow closes down. So let us give them a little consideration. We do need them, whether we all realize that or not.

The first part of the document discusses the importance of maintaining accurate records of all transactions. It emphasizes that every entry should be supported by a valid receipt or invoice. This ensures transparency and allows for easy verification of the data.

In the second section, the author outlines the various methods used to collect and analyze the data. This includes both manual and automated processes. The goal is to ensure that the data is as accurate and reliable as possible.

The third part of the document provides a detailed breakdown of the results. It shows that there is a significant correlation between the variables being studied. This finding is supported by statistical analysis and is consistent with previous research in the field.

Finally, the document concludes with a series of recommendations for future research. It suggests that further studies should be conducted to explore the underlying causes of the observed trends. This will help to develop more effective strategies for addressing the issues at hand.

Tuesday, 4:30 p.m.
May 10, 1966

Mr. Southam: I will call this committee back to order and we will continue.

Motion
#42

Mr. Shaw: All I would have to add is that the former member from Kluane-Carmacks brought this up on various occasions and what I can recollect is that the Alaska Highway is a federal road and the federal government determines what signs should be up and so on and so forth. However, the matter of signs along the road are determined by agreement between the federal departments and the Territorial government set up agreements in accordance with such. The object was that they did not want the country side inundated with signs. It does appear to me that before signs can be put up that agreement must be according to the Ordinance which was agreed to by the federal government. It is not within the confidence of the Territorial Council to establish those signs. Now, we can have the Commissioner down here and ask him but it doesn't matter to me if Mr. MacKinnon or somebody else put up a sign. The only thing is that I suppose if the sign is too large there is a safety factor involved with regards to the tourist. Maybe it is a safety factor to have it with the bigger letters, that is something else to think about at this time. I feel, whether it is correct or not, that signs must have the approval of the federal government as they are the people that own the highway. If we took it over then it would be under our jurisdiction but I do not believe at this time that it is proper. The Commissioner could come down and straighten us out but as far as I am concerned there is no problem. I haven't had any complaints in my area.

Mr. MacKinnon: Mr. Chairman, the R.C.M.P. are acting on behalf of this Motor Vehicle Ordinance and that does apply on the highway as well as anywhere else. So, they have spotted in the Ordinance that the size of the sign is mentioned and they are going to give two months if the Ordinance doesn't change for the signs to come down. That is what Mr. Backe told me last evening. So it is a matter of changing the size. The police are not concerned if we change the size. They don't want to see people throw away thousands of dollars worth of signs. But if the ordinance says they must then they must. It is not a matter of bringing the Commissioner down to see if it is a federal road, we know that it is a federal road, there is no question but the point is that the R.C.M.P. are going in accordance with the Motor Vehicle Ordinance and they are going to apply it the way it is written. This is the reason why I am asking for a change.

Mr. Shaw: Mr. Chairman, I would like to have one question, we have the Registrar of Motor Vehicles with us this morning, but right now he has the hat of Clerk of the Council, but I wonder if he could inform Council with his knowledge whether we do have the jurisdiction of what kind of signs they put up on the Alaska Highway or not.

Mr. Southam: Would you please answer that question, Mr. Clerk.

Mr. Clerk: Mr. Chairman, well it is not a straight yes and no answer but at the time these sign regulations were set up the Army was in charge of the highway and it was debatable who had full authority on the highway. It was determined that the Territorial Government through the R.C.M.P. are enforcing the regulations and I have no doubt but that we can have the regulations changed and altered in regards to the size of the signs. I could be wrong but I don't think there would be any problem at all.

MOTION
#42

Mr. Watt: I haven't been up and down on my feet like an elevator all afternoon.....we have a Commissioner's order respecting motor vehicles and in the Motor Vehicle Ordinance and there is a section in it concerning signs which is in effect now and there is no reason why that cannot be changed now. The request that the member from Carmacks-Kluane is suggesting is very reasonable, that the size be changed and the regulation be amended to read 8 x 12 feet instead of 4 x 8 feet and these do provide a service on the highway indicating that there is a place ahead with a restaurant, gas stop, motel, etc. and these are what the tourists are looking for. They are few and far between and by the time the tourists go forty and fifty feet a sign 8 x 12 is a lot better than a scruffy and scraggy looking sign 4 x 8 or 2 x 4 and I think that the request is very reasonable and there is 300 miles or highway in his area and I will support his motion in regards to the highway signs.

Mr. Taylor: I wasn't aware until this discussion had taken place that these signs were already up. I thought that they had wanted to put these signs up. It seems to me that if this is the case that when they got their sign permit they should have made a study of the signs regulations before putting them up. This is why the police are talking about this and it is in contravention of the law but I can't see that our purpose here is to change the law everytime somebody gets into trouble either. I don't think that is the object of the exercise at all. As I say, this situation is working out very well for the people in the Territory, possibly with the exception of these two gentlemen, and I think that they have found a means by which they could reduce the size as suggested and I see no useful purpose in passing this particular motion and I think we are best to leave well enough alone or we will be getting all tangled up with D.P.W.

Mr. MacKinnon: Mr. Chairman, that is not right. I would like to tell Mr. Taylor that from down on the south end those people are making the same request, that these signs be enlarged. Clyde Wann is one, and Charlie Shandella is another that I have personally talked to and they feel they are entitled to larger signs than 4 x 8 and they feel it is a necessity to have a brighter and bigger sign and it is just not a few people that have the signs up. There are some that put the signs up without knowing that an Ordinance existed and they are starting into a new business and doesn't expect that we have any foolish regulations and then to his sorrow he later finds out that there is. This is not the purpose of bringing it before Council because this is a request from the majority of the people in that business and it is a necessity, 4 x 8 is a ridiculous looking thing along the vast highway where you see nothing for miles and then you see a little sign that says "gas station" etc., all cramped onto a little 4 x 8 sign. It is impossible. The Forestry have signs along the highway that are near to 200 square feet and now what is the difference. This doesn't seem to cause accidents, now the taxpayer, the person backing this country up and in most cases these places are glorified tax collectors for the Territorial government in the liquor, gas, etc. they sell and they are just getting by but the Territory is getting a good sum of money through these people's deliberations. This is a simple thing. We have dealt with lots of things here with no importance but this is, this is urgent to the people that are involved and they want to know where they stand. When you go to have your sign painted you can't put everything on a 4 x 8. I hope that Council will see fit to give these people a chance, give them a break for once instead of looking at it with an attitude like Mr. Taylor has.

Mr. Taylor: As I say, I represent the south highway and I have no problem there. I will vote contrary.

MOTION
#42

Mr. Boyd: Well Mr. Chairman, Mr. MacKinnon is quite correct when he says that the government has signs that are not within the limit and another thing I don't accept is the fantastic cost of these signs that Mr. MacKinnon uses. I haven't seen any of these signs that fall into that category. However, if these people want to they will build huge signs, let them build it, he mentioned that they are having trouble getting business and these signs will help. What it will do is make the man after put one up after a little bit bigger and a little bit better. Let them have it, what is the difference. If they want to spend their money let them, no one cares about them, they are off the highway. I will vote for the motion to get rid of it but with the understanding that they are responsible for the sign and they will be charged for the removal of them and they must meet certain standards etc. If not, they must come down and at their expense.

Mr. MacKinnon: This is covered under the Ordinance, Mr. Boyd and they have to be of a waterproof nature and they have to be properly tended. The regulations already cover that.

Mr. Shaw: Mr. Chairman, I would like to ask a question of Councillor MacKinnon. He informs me he has seen many heads of the Department of Public Works and that they have no objection to these signs. In view of that I would go along with the motion as long as it is agreeable to the Department. There must be safety factors and I think that is what enters into that and if they feel it would not do any harm, but I do think that they should be consulted. I would agree to this on this but I feel they should be consulted.

Mr. Southam: I am not going to say much about it but the thing I don't understand is that a man spend a hundred thousand dollars on a business and yet he goes contrary to the law and to build a measly little sign that costs three hundred dollars. I know the price of signs because we get them made up there and of what I have seen up the highway so far is nothing to be proud of. Now, if you are going to change the Ordinance for every whim of every constituent then you are going to be changing it forever. I realize that you will get your signs but they will still be cluttering up the highways. You go south, you go different places and there are no signs because they won't let them put them up. These highways are clean and uncluttered, but I can't understand why you insist on an Ordinance and then insist on breaking it.

Mr. MacKinnon: Mr. Chairman, I had nothing to do with making this Ordinance and neither did Mr. Southam. We are not trying to break it, we are just changing a couple of words, a couple of figures and this is not interfering with the Ordinance at all and I think it is a real treat to the tourist to have these signs along the highway. For instance, if he goes on the highway and breaks down he may be close to a sign that tells him where he is at and how far he is from Haines Junction or 1118 and I think this is very helpful. If the sign says 30 miles and it is 30° below then he knows better to start walking. If the sign wasn't there he might start walking and freeze to death.

Mr. Thompson: I was just wondering if I would be able to ask one question. How many of these signs exist that are contrary to the Ordinance at the moment and how many signs are each of the business establishments along the highway allowed.

Mr. Clerk: I can't say how many are oversized, I hope there are none but if I am not mistaken it is three on a side.

Mr. Taylor: I have a question I would like to direct to Mr. MacKinnon, what was Mr. Koropatnik's point of view in respect to this.

Mr. MacKinnon: His view was that he would not create any hardship on the lodge owner. That they were more than willing to co-operate to the fullest with any highway lodge and for that reason Mr. Backe went north on the highway and checked and looked at these existing signs. There are some people who have too many and these signs will have to come down. I am not asking you to change that part but I feel that under the regulations that the person should be allowed nice big signs if he wishes. Somebody was doubting the cost of painting a sign and these signs are worth hundreds of dollars, in fact I had one made myself last year and it cost considerably. First of all, you have to locate a signpainter and then take him to your place and then let him go to work and the average one wants approximately \$60 per day.

Mr. Taylor: My question was, did Mr. Koropatnik agree to the increase in size?

Mr. MacKinnon: Mr. Chairman, I just finished explaining that Mr. Koropatnik sent Mr. Backe out on this expedition and Mr. Backe is the man that I have discussed the matter with since his return and he doesn't care how big the signs are as long as they are not in their ditches and in their way. It is only the R.C.M.P. that are concerned and that is on count of this regulation.

Mr. Thompson: I understood somebody said it didn't matter how big these signs were as long as they weren't on the right of way. Now, I think these existing signs are on the right of way. Are these, and incidentally no one answered my question as to how many of these signs, oversized signs do exist at the present time. But, if they are off the right of way then there is no concern.

Mr. MacKinnon: No, you are not right Mr. Thompson. The regulations call for the sign to be thirty feet from the side of the road and this is still on Crown property and comes under the Motor Vehicle Ordinance. As to how many, you are referring to government as well as privately owned?

Mr. Clerk: To answer one of Mr. Thompson's questions, the regulations state that no sign shall be placed so as to interfere with operations connected with the normal maintenance of any highway.

Mr. Boyd: Well Mr. Chairman, I realize that all this fuss has come up because of possibly two people only and maybe if we change it and we go into great big signs we are going to have the rest of the people complaining about the expense of competition and so on and they are going to be forced to put up big signs. The man passing the big sign will likely stop more than he would at a small hand painted sign. It has it's advantages. Secondly, I am not in favour of signs on the highway at all and at one time it was understood that the federal department would put signs on the highway that were standardized and it would read the mileage to whatever services that existed. This is the ideal situation and it never happened. I wish it had and it would have eliminated all this. Let them build their signs and when the government gets disgusted with the oddities they may put up signs that are regular and standard.

Mr. Southam: We have argued about this long enough. I will put the question to the House. Motion #42, are you ready for the question? Agreed? Contrary?

MOTION #42
MOTION
CARRIED

Mr. Taylor: Contrary.

Mr. Southam: The motion is carried and what is your pleasure at this time gentlemen?

Mr. Boyd: I would move that Mr. Speaker resume the chair and hear the report of the chairman of committee.

Mr. Watt: I second the motion.

Mr. Southam: It has been moved by Councillor Boyd and seconded by Councillor Watt that Mr. Speaker resume the chair and hear the report of the chairman of committee. Are you agreed? Motion carried.

Mr. Speaker: I will call this Council to order and we will hear the report of the chairman of committee.

Mr. Southam: Mr. Speaker, Council convened at 10:35 this morning to discuss bills, memorandums, sessional papers, and other items. Motion #51 was discussed with Mr. Thompson, the Superintendent of Education and Motion #51 was passed. We reconvened to discuss Bill #6 with Mr. Stark. It was moved by Councillor Taylor and seconded by Councillor Shaw that Bill #6 be amended further. Motion #42 was passed. That is all I have Mr. Speaker, except, moved by Councillor Taylor and seconded by Councillor Shaw that the Yukon participate in Expo '67 as outlined in Sessional Paper 74.

Mr. Speaker: You have heard the report of the chairman of committees. Are there any errors or corrections or are you agreed with the report..

Mr. Watt: I would like to have my vote recorded as contrary on the first motion this morning on the Catholic Episcopal Corporation.

Mr. MacKinnon: Mine too, Mr. Speaker.

Mr. Speaker: We have the agenda for tomorrow and unless you have any other suggestions I have bills, memorandums, motions, and sessional papers. We will have to play it by ear a great deal. I would also like to remind you that we have an appointment tonight with the Commissioner for dinner.

Mr. Boyd: I notice that it is five o'clock and I move we adjourn.

Mr. Speaker: Moved by Councillor Boyd that we adjourn. Are you agreed?

Mr. Speaker: This Council now stands adjourned until tomorrow morning at ten o'clock.

Vertical text columns, likely bleed-through from the reverse side of the page. The text is extremely faint and illegible.



Wednesday, May 11, 1966.
10:00 o'clock a.m.

Mr. Speaker read the daily prayer and Council was called to order. All Councillors were present.

Mr. Speaker: At this time, gentlemen, I would...before we start the routine of the day...I would like to point out to you that as soon as this is completed, I will be asking to take leave of absence. I have just had communication from Mr. Baker, the Territorial Engineer, that the flood condition at Dawson City is very bad at the present time. The water has risen so quickly that it has flooded way over the dike. There is no water available and, no doubt, my house is floating around in two feet of water or so so it will be necessary, in this emergency, that I will leave as soon as we have the routine orders of the day completed if you will excuse me accordingly.

All: Agreed.

Mr. Speaker: Mr. Clerk, have we any correspondence this morning?

Mr. Clerk: I have no correspondence this morning, Mr. Speaker. I have supplied Councillors with the replacement pages for Bill No. 6. There were quite a few pages to the Bill so we didn't rerun the whole thing.

Mr. Speaker: Thank you. We have no Bills to introduce. Have we any Notices of Motion and Resolution this morning?

Mr. Taylor: Mr. Speaker, I would like to give Notice of Motion this morning respecting sanctions in the City of Edmonton.

NOTICE OF MOTION #54

Mr. Speaker: Thank you, Mr. Taylor. Have we any further Notices of Motion.

Mr. Thompson: Yes, Mr. Speaker, I have a Notice of Motion concerning Territorial Council Quarters.

NOTICE OF MOTION #55

Mr. Speaker: Thank you, Mr. Thompson. Have we any further Notices of Motion? If not, we will proceed to Notice of Motion for the Production of Papers. Have we any Notices of Motion for the Production of Papers? If not, we will proceed to Motions. We have Motion No. 52, Mr. Thompson, Alaska Highway.

Mr. Thompson: Mr. Speaker, this is Motion No. 52, moved by myself, seconded by Mr. Boyd, WHEREAS the section of the Alaska Highway between MacRae at approximately Mile 910 to Mile 925 at the Mayo/Dawson turnoff has the greatest use factor of any portion of the Highway, AND WHEREAS the Alaska Highway is under the direct supervision of the Department of Public Works, THEREFORE BE IT RESOLVED that the Minister of Northern Affairs contact the Minister of Public Works and advocate a policy of upgrading, realigning and hard surfacing of at least that section of the Alaska Highway previously mentioned at the earliest possible moment, and that if estimates are required to institute this work this summer that they be approved so this work can be commenced without further delay. May I proceed?

MOTION #52

Mr. Speaker: Proceed, Mr. Thompson.

MOTION #52

Mr. Thompson: Mr. Speaker, this is a matter of policy more than anything else. The Department of Public Works are in a position to do certain work, but their Terms of Reference, as laid down, are such that they will not proceed beyond their present Terms of Reference, and it has been intimated that if, conceivably, some direction or suggestions were forthcoming from the Department of Northern Affairs that this might enhance their position and make it a little bit more feasible to do some grading. With this in mind, it is my request that we ask that this work be undertaken, and at the earliest possible moment, and all this is trying to do is to speed up the eventual results of an Economic and Engineering Survey which has been undertaken, the results of which have not as yet been made public but are about to be. With this in mind, I just ask that consideration be given this Motion and conceivably some immediate action will be forthcoming.

Mr. Boyd: Yes, Mr. Chairman, I think it's high time that something was done with at least this portion of the road. The gateway to Whitehorse, on both sides, is far from being adequate. I am surprised that it is necessary at this late date, after all these years, that the Government or people in charge of this part of the Highway have seen fit to leave it in its original state as it was when they took it over from the Americans. It doesn't say too much and anything we can do to upgrade this road...this portion of it in particular...I would suggest that we should by all means do it and I hope that Council, as a Whole, will vote in favour of this Motion.

Mr. MacKinnon: Mr. Speaker, this is very enlightening. I would like to mention, Mr. Speaker, the great concern of a particular part of the Highway. I would also like to mention that we have a Native population in the Territory, and I see them bogging back and forth from the Indian Reserve to the City of Whitehorse, and I have been thinking in terms of a paved sidewalk for those people to walk on. The vehicles are getting by very well. You almost ruin a pair of shoes to walk from the Indian Village to the City of Whitehorse so I am told, and I am surprised to see a Member giving hard surfacing of the highway priority over a sidewalk for those people who have no other means of travel. I believe that the sidewalk should be considered before the paving of that portion of the Highway. I honestly believe that, Mr. Speaker.

Mr. Watt: Mr. Speaker, I would just like to say that I agree with the Motion but "Therefore be it resolved that the Minister of Northern Affairs contact the Minister of Public Works and advocate a policy of upgrading, realigning and hard surfacing of at least that section of the Alaska Highway". I would like to make an amendment to this Motion and suggest that "realigning and paving"...not just hard surfacing...I don't know what their interpretation of hard surfacing is. I think most of it is probably hard surfaced right now. It's worn right down to the bedrock which is pretty hard. I move that this be amended to read "realigning" and substitute the word "paving" for "hard surfacing"....."black topping" instead of "hard surfacing" so that we are specific. I agree with the Motion, but I would like to make the amendment that it be "black topping".

Mr. Speaker: "Hard surfacing", I imagine, would mean paving.. that's the same equivalent. That's what "hard surfacing" means.

Mr. Watt: If I agreed with you, Mr. Speaker, I wouldn't have made the Amendment. MOTION #52

Mr. Speaker: I was just merely pointing out the technicalities. However, if someone wants to go along with that Motion, that is fine. If you will just repeat the proposed Amendment, I will get it down right.

Mr. Watt: I would move that the following Amendment be made to Motion No. 52, namely, the word "paving" be substituted for "hard surfacing".

Mr. MacKinnon: I'll second that Motion, Mr. Speaker.

Mr. Speaker: Is there any discussion on the Amendment before I put it to the vote.

Mr. MacKinnon: Mr. Speaker, I would just like to say that I do hope that Administration, in considering this Motion, give consideration to a sidewalk for the entire length of the Two Mile Hill, and I believe this is very important, and I think it should have been mentioned this morning.

Mr. Speaker: I agree with that Mr. MacKinnon, but at the present moment, the Motion doesn't concern a sidewalk any place...this is the realigning and hard surfacing of a portion of the Highway.

Moved by Councillor Watt and seconded by Councillor MacKinnon, that the following Amendment be added to Motion No. 52, namely that "paving" should be substituted for "hard surfacing".

AMENDMENT DEFEATED

AMENDMENT
DEFEATED

The Amendment was defeated with Councillors Thompson, Boyd and Taylor contrary.

Mr. Speaker: Is there any further discussion on Motion No. 52?

Mr. Southam: I agree with the context of the Motion. The only thing is I think it stops far too short. I think you should pave from MacRae clean to the Alaska turn-off. Have you ever drove in on the road from Porter Creek and through that country? The last time I drove over it, it cost me \$35.00 for repairs for my car. Now, it's about time that they did something. Now, paving or hard topping...either one...I think is what is needed to an entrance to any town of this size. I think that it's a disgrace to think that Whitehorse, the capital of the so-called Yukon Territory, is not paved with good entrances...no matter which way you go. I think you have got something here that you are going to have a lot of traffic over this particular piece of road and, again, there is one thing, I wonder how much of this your Mining Fraternity is going to pay. This, again, from what I gather...I haven't said anything about it or discussed it with any Member...but I presume this is going to make trucking a lot easier for the Imperial Mines. This is only my own supposition. The thing is that I would sooner see the whole thing paved. As far as sidewalks go, I think this is, again, something for the City to do. I don't think the Territory has anything to do with this. I may be wrong again, but this, to me, is a City proposition. I may be out on that one. However, regardless of whether it is the City or not, I quite agree with it. The thing is that this pavement, black topping, hard surfacing, whatever it is...the sooner they get at it, the better, regardless of what it's for. It's about time it was done.

MOTION #52 Mr. MacKinnon: Mr. Chairman, I would just like to clarify one point, Mr. Southam. The sidewalk would be a Territorial responsibility as the Two Mile Hill is a Territorial responsibility, and not City.

MOTION #52
CARRIED

MOTION CARRIED

Mr. Speaker: Mr. Taylor, would you please take the Chair.

Councillor Taylor takes Speaker's Chair.

Mr. Speaker: Councillor Shaw, would you be prepared to discuss Motion No. 53 this morning?

MOTION #53 Mr. Shaw: Thank you, Mr. Speaker. Moved by myself and seconded by Mr. Southam, re Klondike Restoration. In the opinion of Council it is requested that a committee be formed of members of the National Historic Sites of Canada and the Yukon Territorial Government as soon as possible to evolve a planned program of restoration of the Klondike area. It is further requested that this committee meet with members of the Klondike Visitors Association and Dawson City Historical Society for whatever advice they may be able to submit to assist in this program. May I proceed, Mr. Speaker?

Mr. Speaker: Proceed, Mr. Shaw.

Mr. Shaw: I will not go too far into this matter. I think it is fairly self-explanatory. I have been here on other occasions with similar requests before Council, and I was always most gratified to get their very great assistance in the matter. I think that it is very important that we do restore this particular area. It's becoming more evident each day...the value of it...in view of the people who are trying to steal this particular thing. In the second part of my Motion, Mr. Chairman, I have put "It is further requested that this committee meet with members of the Klondike Visitors Association and Dawson City Historical Society". Now, I am not putting that in merely to get these people... the object, I should say, of these people doing this particular job....but in view of what happened in 1962, I think the only kind of a program that we can successfully complete would be one in which the people themselves participated in and that is why I have that second section in there. I haven't specified the Council of the Yukon Territory, but I feel sure that this involves the Council of the Yukon Territory and they will also be part of this particular Motion. If there are any questions that any Member may have, I will be pleased to endeavour to answer them, Mr. Speaker. I won't go on any further.

Mr. Southam: Mr. Speaker, I seconded the Motion and, therefore, I must concur. I think this is a very good idea. I think it's something maybe a little overdue again. In the Provinces, you see quite a lot of historical sites being restored and one thing and another and I think it's about time again that these things should come into being. Also, at the same time, I hope that when this thing is set up that they will give some thought to marking along the highway these historical places, especially to myself who doesn't know the Territory too well. I get a hold of a map and I try to figure out where such and such a place is and these are places I don't know.

Mr. MacKinnon: Mr. Chairman, this has already been done and the Territorial Government are installing signs that measure about five by nine in various localities along the Highway, and by this Motion, does Mr. Shaw mean that Dawson City should be declared as a historical site only. Is this the intent of the Motion?

Mr. Shaw: Not necessarily, Mr. Speaker. It is, of course, already declared as a historical complex by the Federal Government, whatever that may mean. It wasn't my intention that this be declared a historic site, because in declaring an area a historic site, you run into all kinds of problems that it would be very difficult... in such case...the historical site...the whole thing... would have to belong to the Federal Government and that would create some complications....so the intention of the Motion wasn't that in its true sense.

MOTION #53

Mr. MacKinnon: Mr. Speaker, I have a supplementary question. Could Mr. Shaw tell me just who is the Klondike Visitors Association? Is there one existing?

Mr. Shaw: Mr. Speaker, I couldn't tell you who it is because it involves a lot of people. It was first created in 1952 at which time they advertised the Klondike area. They got up shows and they put them on and they raised money and they advertised the area, made maps, sent out pamphlets and that has been operating since 1952. It's an incorporated society of possibly thirty-forty members whose dedication is to try to get visitors into the area and, at the same time, try to entertain these visitors and make their stay as pleasant and as informative as possible.

Mr. MacKinnon: A further question, Mr. Speaker. Are the members of the Klondike Visitors Association a part of the same members as the Dawson City Historical Society?

Mr. Shaw: I would say not, Mr. Speaker. The Dawson City Historical Society operates the Museum and the functions connected with the Museum.

MOTION CARRIED

MOTION #53
CARRIED

Mr. Shaw resumes the Speaker's Chair.

Mr. Speaker: Have we any questions, this morning? There is one question I have. Mr. Clerk, did you inform us as to the request to ascertain who the new Commissioner would be? Have you any information in that respect?

Mr. Clerk: I made a further request of the Commissioner and he informed me he had been on the phone and had been assured by the Assistant Deputy Minister that the Minister had not made up his mind at that time and could not give us any more information. Subsequently, I heard a news broadcast on the radio. There were four names that the Minister was considering, but he hadn't made up his mind yet and he would make the announcement before the end of the month. That, also, was news to the Commissioner. That was the first time he had heard the information, so there isn't anything further than that yet.

Mr. Speaker: Most unfortunate. Any further questions this morning?

Mr. MacKinnon: Yes, Mr. Speaker, I would like to ask when we might expect an answer to Question No. 28.

Mr. Clerk: I haven't had any reply on it yet...Question No. 28 in regard to Freight Rates. I can only say that if the reply does not come to the table before Council prorogues, it will be forwarded to the Councillors when I do receive it.

Mr. MacKinnon: Mr. Speaker, I believe that at an early part of this Session, it was agreed that the Liquor Superintendent would return to the table and he would have some answers.

Mr. Taylor: Mr. Speaker, if it may be of assistance, in reply to that question, I believe we have had the Liquor Inspector programmed for Committee this morning, and I believe that question could be directed to him.

Mr. Speaker: Have we any further questions? Well, gentlemen, before we revert to Committee, I would thank you for your indulgence in permitting me to go to Dawson during this flood session. As the program is to prorogue tomorrow, I will not be here. I would like to take this opportunity of wishing all you gentlemen a very successful summer. This quick trip also means that I will not have the pleasure of formally thanking the Commissioner for his service to the Yukon Territory and to wish him every success and happiness in his new venture. I would ask if you gentlemen would attend to that matter on my behalf when Council prorogues.

Moved by Councillor Watt, seconded by Councillor Boyd, that Mr. Speaker do now leave the Chair and Council resolve itself into Committee of the Whole to study bills, memoranda, sessional papers and motions.

MOTION
CARRIED

MOTION CARRIED

Mr. Speaker: The Motion is carried and Mr. Southam will take the Chair in Committee of the Whole.

Mr. Southam: I will now call a short recess.

Mr. Southam: I will call this Committee to order. Mr. Watt asked to be excused for a period of time. I don't know just how long he will be away. You have before you the Amendments to Bill No. 6 and I would assume that you read them. What is your pleasure now?

Mr. Boyd: Mr. Chairman. I will move that Bill No. 6 be passed out of Committee as amended.

Mr. Taylor: I will second that Mr. Chairman.

Mr. MacKinnon: Mr. Chairman, would you please brief me on the Amendment, please? I'm slightly out of kilter here this morning.

Mr. Taylor: I might be able to assist, Mr. Chairman. The main and most important amendment was the amendment allowing the City or any Municipality to, by by-law, set up its own method of assessment and that was found on page nine and, also, the other amendments are minor changes here and there, replacement of words, etc., as discussed.

Mr. MacKinnon: Thank you, Mr. Chairman, I am with it now.

Moved by Councillor Boyd, seconded by Councillor Taylor, that Bill No. 6 be passed out of Committee as amended.

BILL #6
PASSED OUT
OF COMMITTEE
AS AMENDED
MOTION
CARRIED

MOTION CARRIED

Mr. Southam: What is your pleasure now, gentlemen?

Mr. Taylor: Mr. Chairman, I believe Mr. Legal Advisor has prepared some consolidation of the Labour Bill and should be down shortly. I would suggest that possibly we recess until that time.

Mr. Southam: Well, gentlemen, Mr. Vars didn't get back into town. His car broke down and he may not be here today. We may not be able to get him so at this particular time, I will call a recess until we.....

Mr. MacKinnon: Mr. Chairman, before you call the recess, I would like to say that I am very disappointed in not getting a reply to this Question No. 28, and I hope it will get Mr. Vars' attention because we have got a problem and the Territorial Government is paying the freight on liquor to Dawson City and Watson Lake, but 1202, the people that are doing business there, are paying their own freight. I believe it should have consideration and I hope that the Administration will carry out the wishes of Council and see that these people are used fairly.

Ans.
28.

Mr. Southam: I will now call a short recess, gentlemen, until we get Mr. Legal Advisor here.

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Wednesday, 11:00 a.m.
May 11, 1966

Mr. Southam: I will call the committee to order and we have before us Bill #12 concerning the Labour Code.

BILL #12

Mr. Boyd: Mr. Chairman, why don't you just read it through and if anyone has a question we will stop you.

Application:.....

Mr. Thompson: On wages, it says it doesn't include bonuses for staying until the end of the work season and other gratuities. Isn't that contrary to the Income Tax Act. Is this correct?

Mr. Legal Advisor: That is true and I haven't got in front of me the Federal Act. This is adapted from the Federal one under the Canada Labour Code but I would point out that because in the Yukon there are deals between men and their employers; bonuses to stay on, etc. and there are cases where wages are extended, well you get away from the hourly rate and you have to work the season to know what you earned. All sorts of evasions creep in.

Mr. Thompson: You say that it doesn't include tips, etc. and other gratuities.

Mr. Legal Advisor: Suppose you are looking into the wages of a waitress for instance. The employer says he is paying her 75¢ an hour but then well she is getting another dollar an hour in tips. Well those tips don't count for wages, he has got to pay her a \$1.00 an hour.

Mr. Southam: Mr. Legal Advisor, maybe I don't understand it quite correct either but if we bring this into being wouldn't it throw out your wage schedule for instance in the mines where you pay a bonus on a monthly basis. A miner does so much for ton and then he makes over that per month. He may make a dollar a day or he may make twenty-five. Do I understand this right.

Mr. Legal Advisor: No that is not quite right. We define wages here just to be able to ascertain how much per hour a man is getting.

Mr. MacKinnon: 7 (1), I believe we did agree not to discuss this but I think it would be best to discuss it as we go. I am not too clear on this section and if anyone could enlighten me on this I would appreciate it.

Mr. Boyd: I don't think we agreed not to discuss it, we agreed that there was something a man didn't understand we would stop Mr. Chairman and discuss it.

Mr. MacKinnon: Just to clarify Mr. Boyd's statement, it was agreed to read it and then discuss it.

Mr. Southam: Mr. Legal Advisor, can you answer this question for Mr. MacKinnon.

Mr. Legal Advisor: If you are going to provide something for fixing the wage rate for under seventeen you are creating an area where some very unsatisfactory wage may not be attained. This section does give trouble but it is the way it exists in the Federal Act. I don't think that we can change a word in that. Whether the Territory should have some more ingenious safety valve will be something you have to decide. What it is saying is that an employer can have somebody under seventeen

BILL #12

Mr. Legal Advisor continues.....
 working in specified occupations, you may feel that at this time that it would be a little difficult to set out all the occupations, such as newspaper carriers, gas attendants, etc. but this is what has to be done. The wage might be set at 75¢ per hour or 50¢, now this is where we do not have the set-up and we have to study the other provinces policy and see where there regulations are. We can use their regulations as a basis, to get these standards. It might be that provisions made in this Ordinance or any part thereof, therefore you could section out section 6 for delay and work out the wages under the type of work for the under seventeen. Until we have proper research material I can't give you examples of how they are handled.

Mr. MacKinnon: Actually there is no proper answer to this section and then it will be analyzed and set up by the Commissioner as he sees fit. Am I right in assuming this Mr. Legal Advisor?

Mr. Legal Advisor: That is the prospectus as I see it. If you say 75¢ right now you can write it in.

Mr. Thompson: 9 (2) Mr. Chairman, why would this....well could we be more specific.

Mr. Legal Advisor: This is taken from the other legislation and you must realize that there will be cases, take a lodge operator who has some casual labour in use who just works for a day and pays him out of his pocket. It would involve an employer a lot of bookkeeping so it is up to the employer to make up the case of not having it as he has to justify it. If he does have a good argument in not handing over the pay cheque then the Commissioner can say you don't have to do it. There are cases where it is unfair to require the employer to fill his house with pay slips, etc.

Clear. 10, 11, 12.

Mr. MacKinnon: Mr. Chairman, I would like to mention that I think this two year deal is ridiculous. I mentioned that during the discussions last fall and two years is a long time and it would be hard to come up with any facts after two years and there are some very unfair people that you deal with and I have nothing personally involved but two years seems to be overdoing it quite a bit. I believe that this should be changed to read six months. If the man hasn't collected his wages he should come forth in six months and make complaints. This holds an axe over the employer's head.

Mr. Taylor: Mr. Chairman, I can't agree with this and I don't believe it is holding an axe over anyone's head. The only one that could feel it as an axe would be a violator of the Ordinance. Certainly it offers some protection to the employee who maybe agrieved sometime after his termination of employment. I am certain that two years is sound. I would like the Legal Advisor to clarify this, is this in the federal legislation as the time limit.

Mr. Legal Advisor: Again I must apologize as I haven't got my copy of the federal regulations here. I think the formula there is for two years for a reason. Perhaps, Mr. Clerk as Labour Provisions Officer can outline the provisions as he encounters it. Men do leave and then find out that they have been shortchanged. It does cause the Labour Provisions Officer quite a bit of trouble and the Income Tax save their records longer than two years to be safe.

Mr. Clerk: Mr. Chairman, two years may be too long but on the other hand six months may be too short. I have had a case this past year where a chap had worked placer mining in a location outside Dawson and he had made an agreement that he wouldn't be paid until the end of the season. When the season did end there wasn't enough to pay the man and so he went along with the employer to give him enough time to dig up enough to pay him. This took him well over the six month period and it was slightly over a year before he collected his wages at all. This did actually happen and so it is hard to draw the line. We have had people leave the Territory and go to Vancouver, Winnipeg, etc. and then they sat there and brooded for two years before they took action. It isn't fair to the employer. And on the other hand it is up to him to protect himself.

Mr. MacKinnon: Mr. Chairman, don't we have regulations that everybody must have a payday. Can we go on for six months without paying our paydays. There are regulations that say there must be paydays and your books can be examined at any time. Is this not right Mr. Clerk?

Mr. Clerk: No it doesn't because the Labour Provisions Ordinance states that a pay period cannot be longer than 30 days and an employee is to be paid within 10 days of the pay period. That doesn't do away with the problem of underpaying somebody.

Mr. MacKinnon: It would do away with the case that you just explained on this placer mine--working the summer and not getting paid. This cannot be done under regulations at the present time.

Mr. Boyd: Could the payday be once a year?

Mr. Clerk: As I stated that it cannot be longer than 30 days but there are certain concerns that do not fall under the Labour Provisions Ordinance.

Mr. Taylor: Maybe Mr. Legal Advisor could dig up some more information on this and we could come back to it.

Agreed. 13

Mr. Legal Advisor: Could I anticipate a question. These got past me in drafting and this is not really applicable. May I suggest that Section 2 comes out and you then go to the next section and it will become 2 and so on.

Agreed. 13 (4)

Mr. MacKinnon: Mr. Chairman, not exactly clear. Now, could this for instance fall back to the two year problem again. Could somebody possibly get stuck for a two year pile-up of wages.

Mr. Legal Advisor: I must assume that a man has been working for two years and at the end of two years proceedings are launched against the employer and he says that he hasn't very good records. According to my records a man worked two hours a day and then the employee disagrees. The employer must give fact to the hours or the presumption would be that the man had been working an 8 hour day. While this is theoretically possible it is very unlikely. It is doubtful that any court would want to really bankrupt an employer as this wouldn't do anyone any good. This is based on the federal act in this respect. If you are unhappy with it I can change it or can redraft it.

Mr. MacKinnon: This is another case of having the axe over the BILL #12 employer's head and I believe that this is a piece of legislation that is not proper and that we are working for both sides and not one person in particular. We are working for everybody. This should be bottled down and not left as so.

Mr. Taylor: Mr. Chairman, there isn't any use in having an Ordinance unless you have teeth in it and there is nothing to fear from this Ordinance unless you are in contravention with it. I agree with Mr. Legal Advisor that it is entirely possible that the courts may impose this section upon some decision but if they ever have to go that far then the person has it coming and he is guilty.

Mr. MacKinnon: Well Mr. Chairman, this is exactly what I expected Mr. Taylor to say and I just can't agree with it and lots of people can be in error. Just because some people have erred you can't throw the book at them. I believe that a penalty should be imposed. We have penalties in the Criminal Code for murder and manslaughter but on a thing like this we have no penalty and you can't do anything.

Mr. Boyd: I think Mr. MacKinnon is being somewhat unduly alarmed. You can't take the stand that the employer who has been not living up to the laws should get away. What about the employee?

Mr. Clerk: Could I ask a question on section 14? This point has come up in enforcing the Labour Provisions Ordinance and I have had complaints and the person requesting this has asked that his name be withheld. This does handicap the inspector in the investigation when you can't divulge the name to the employer. I have always refused to do an investigation if the employee wouldn't give his name to the employer.

Mr. Legal Advisor: The person would have to give good reasons for having his name withheld and the Commissioner would have to agree to it. Any Commissioner would refer the matter to the Labour Provisions Officer and then under the points mentioned he would not likely agree to the withholding.

Clear. 14, 15, 16, 17.

Mr. Taylor: With respect to Section 18 I would favour the suggestion made by Mr. Legal Advisor that it should be "this Ordinance or any part thereof" so that a minimum wage provision could be effected to this Bill.

Mr. MacKinnon: Are we still dealing with a private member's bill? I thought it was quite clear that we would accept the bill from administration, from them and not a member. Is this from the administration?

Mr. Legal Advisor: This original Labour Bill was a private members Bill and it became apparent that the members wished to concentrate on a minimum wage bill and this is before you not as a new bill but administration couldn't bring this in and the Councillor brought it before you as an amendment from which it has been based. It would have to be approved as an amendment to the Labour Bill and the title itself would have to be approved. This is the only way this can be brought before you at this stage. That is the way I see the position.

Mr. Taylor: That is quite correct.

Mr. Legal Advisor: I just want to have a look at the usual formula for a delayed approval for a bill. I can put my hand on that quickly and I can have that ready after the luncheon adjournment.

BILL #12

Mr. Taylor: I suggest that we recess for noon.

Mr. Southam: At this time gentlemen, I will call a recess and we will reconvene until two o'clock.

RECESS

Wednesday, May 11, 1966.
2:00 o'clock p.m.

Mr. Southam: I will call the Committee to order. We were BILL #12 on Bill No. 12.

Mr. Taylor: Mr. Chairman, I have new page 4's for the amended portions of the Bill which we were discussing prior to noon recess. This will mean that page 5 will no longer remain and page 4 is replaced by the new section. The sections changed, gentlemen, were No. 4, subsection (2) at the top of the page has been taken out and in section 18, you will note that it now reads "This Ordinance or any provision thereof shall come into force on a day or days to be fixed by Order of the Commissioner". That was the effected change.

Mr. MacKinnon: Mr. Chairman, both pages go. Is that right? Four and five.

Mr. Taylor: Four and five go out. Right.

Mr. Legal Advisor: By taking out that subsection (2) of section 13, that's made enough room to pick up what was on page 5 so that's why you are now one page shorter. You will see that on the new page 4, you've got some marginal titles. That's the only difference. That and, of course, 18 is definitely worded now.

Mr. Southam: What is your pleasure now, gentlemen?

Mr. MacKinnon: Mr. Chairman, if we could just have a minute to read this new page, I would appreciate it.

Mr. Thompson: Mr. Chairman, could I ask if the Legal Advisor ascertained with reference to section 12?

Mr. Legal Advisor: I have looked at the Federal Act and it is two years....section 44...."Proceedings in respect of an offence under this Act may be instituted at any time within two years after the time when the subject matter of the proceedings arose." That's the Federal Act. Whether you want such a long time....we have heard some of the pro and con this morning.

Mr. MacKinnon: Mr. Chairman, I would like to ask the Legal Advisor if this particular part has been adapted in the Northwest Territories? I understand that the confusion that we went through last fall in regard to the Northwest Territories adapted policy had never been adapted at the time that this Council was led to believe it had.

Mr. Legal Advisor: The situation in the Northwest Territories, at the time of the last Session of this Council, was that early in the year they had had presented to them a draft Ordinance. It was modelled very closely on the Federal Act and it was given First Reading, and what the Votes and Proceedings of the Northwest Territories did not spell out was that it was given First Reading simply in order to enable a Commission to be set up to go around ascertaining what the reaction of the employers and employees would be in the Northwest Territories. Now, it was unfortunate that, reading the Votes and Proceedings, one was left with the impression that they had called for this Bill and, having received it, had not found enough time or reason to discuss the Bill in detail. It was dealt with very briefly in their remarks and we proceeded.. I proceeded...on the assumption that they had been serious

BILL #12

Mr. Legal Advisor continues:

about this Bill that was placed in front of them and I assumed that that Bill had had Departmental review, been approved as to policy....after all, it followed the Federal Act which had been approved by the Federal Parliament and it would be strange, therefore, to find that what was approved as to principle and policy at the Federal level, was under attack in one of the Departments. So, it was on that understanding that I came to the Council and asked for a discussion, clause by clause, of what had been the NWT Bill. The Council was good enough to discuss it, and as a result of Council's remarks, I prepared instructions to the draftsman in Ottawa. As a matter of fact, my covering letter went...at least the Commissioner's covering letter.. went on the 17th of December. You had only been gone a few days before I did that. I got it off. It was when the Financial Advisory Committee went there and they asked for a discussion of progress....they wanted to see the draft Bill...it turned out, for the first time...that NWT had never really intended to do very much about that Bill, except provide a talking point for this Commission it was setting up. At that time, the matter was discussed by the Chairman and the Members of the Financial Advisory Committee, and since the Chairman is here now, I will leave the rest of the matter, if I may, to him. I brought it up to that point. That's why when we came to the Session here, we did not have an Administration Bill. May I leave it with the Chairman of the Financial Advisory Committee at this point, Sir.

Mr. Thompson: Mr. Chairman, I don't feel that there are any changes required. The only other question that I had was with reference to section 14, and I am wondering if Mr. Clerk had anything further in connection with that. Just to further this...I feel that it is a prerogative of an individual to have his name withheld if he so desires, but if it goes to the extent of prosecution, well, then he automatically loses the cover of anonymity.

Mr. Clerk: Mr. Chairman, this point was discussed at a Financial Advisory Committee meeting a couple of years ago. I think Councillor Taylor was on the Advisory Committee at that time. It was pointed out that when we went to make our investigation, in some cases, it caused the man to lose his job. Up to the present time, we had only been operating, or shall I say, we had been operating on complaint only and we have to depart from that procedure and make general investigations. In this manner, if somebody does make a complaint, then it won't hurt. If they do want identity withheld, we comply. We could do it that way.

Mr. MacKinnon: Yes, Mr. Chairman, I believe that this Amendment to Bill No. 12, section 2, subsection (a)...we are talking about a minimum wage scale for technical skilled labour. This is a ridiculous thing....\$1.25 an hour for technical employees. This is ridiculous, and I think if a man is anywhere near being technical in his position that this is nothing but an insult...\$1.25 an hour. It's ridiculous. This is all right for unskilled labour only, and I believe that this particular part of the Ordinance should be changed to read "unskilled" only and not read as a direct insult to a technical person.

Mr. Thompson: I have no further comments, Mr. Chairman.

Mr. Southam: What is your pleasure now, gentlemen?

Moved by Councillor Boyd, seconded by Councillor Thompson; that Bill No. 12, An Ordinance Respecting Wages in the Yukon Territory, be passed out of Committee as amended. BILL #12
PASSED OUT
OF COMMITTEE
AS AMENDED

Mr. MacKinnon: Well, Mr. Chairman, I would just like to mention that it is very inadequate but I will vote in favour, but I would like to be on record as showing my honest feelings that this is very inadequate for what it represents.

MOTION CARRIED

MOTION
CARRIED

Mr. Southam: What is your pleasure now, gentlemen?

Mr. Taylor: Mr. Chairman, the only two Bills remaining in Committee at this time are Bill No. 4, the Supply Bill, and the Game Ordinance which I believe has got to lie and die in Committee. I feel, at this time, I would like to move that Bill No. 4 be moved out of Committee as amended.

Mr. Thompson: Mr. Chairman, before this is done, and there is not too much I can do about it at this time. It got away from me. I would like to draw to your attention, and I had every intention of asking that our Budget, in several of the Votes, be decreased by 10%. The basis of my proposal was contained in Sessional Paper No. 44 which showed that for the last fiscal year, where figures were available, that better than 17% of the amount of monies that we voted were not expended. There were many and various reasons why this was not done, but I would like to wager that if comparable figures were available for previous years, and even for last year, you would find that the amounts voted and the amounts spent varied by at least this amount. This is one of the matters that was raised in Ottawa when we were there with the Financial Advisory Committee, and I can assure you that Ottawa are quite aware of this continuing trend. As I say, I believe I am a little tardy in introducing a Motion at this time inasmuch as it has had First and Second Reading and we have discussed it. I don't know. Am I too late in making a recommendation of this sort, Mr. Chairman? BILL #4

Mr. Taylor: Well, I think...the terms...the Bill...it was agreed that the Bill would be returned to Mr. Clerk for typing and final presentation, although I don't think there is anything that would prevent a Member from proposing further amendments to it until it is passed out of Committee.

Mr. Thompson: Mr. Chairman, this is the only reason that I make these comments. Let me put it this way. I feel in several instances, and I quote Health for one very obvious reason, where we approved \$500,000.00, roughly, and roughly \$200,000.00 of this is unexpended. To me, there is something radically wrong somewhere. Now, I have prepared estimates myself and I imagine that the majority of you people have done the same; and if it were private business, there would be definitely some changes made. Again in the Yukon Hospital Insurance Services, in the matter of some \$800,000.00, there remains \$162,000.00. In Welfare, in a half a million dollars, there's \$100,000.00 that is not expended. This is why I raise this at this time. I don't propose a 10% cut right off the top of the Estimates for the Bill, but I feel that Administration should be made aware of our feelings, and I feel that with this information that they may be better prepared to produce Estimates that are a little more in line with their actual spending. I think, Mr. Chairman, I will leave it at that. I feel that something could be done. Something should be done, but I haven't.. I don't know what the effect of asking for a 10% cut on the total

BILL #4

Mr. Thompson continues:

would entail as I would imagine that the Territorial Treasurer would go down and lop off 10% off of every Vote and this is not my intent because you will also notice that in several of the categories...Public Administrator...Travel and Publicity....Game...these Departments are budgeting, they are estimating, and they are operating on a basis that shows that there has been a considerable amount of forethought gone into their Budgets. Could I ask Mr. Legal Advisor what would be the effect of a recommendation such as this. Would you be able to tell me whether this is what the Territorial Treasurer would do, or would it be more in order to ask the Territorial Treasurer?

Mr. Legal Advisor: I'm afraid I can't give any useful opinion on that. I can see that the effect would have to be assessed in the light of the events that followed rather than predicted at this point. I wonder if the Territorial Treasurer ought to....this is a question which is really outside my field.

Mr. Thompson: Mr. Chairman, I would ask the indulgence of Council - not so much....it would be interesting to note his comments, but our Budget this year is something like 11½ million, and out of this...it was 10 million last year, or in 64-65, and we effected an actual saving of 1¼ million dollars and, to me, this is quite a considerable sum when it's the people who have to foot the bill. We are harping about costs and rising costs of living, and to me, by accepting this, we are not helping the situation at all, and if we could conceivably put a hold on it, or at least stem it to some extent, maybe we are doing some good. I don't know.

Mr. Taylor: Mr. Chairman, the Member raises an interesting and very valid point, but at this time to consider a decrease in the amount budgeted in the Main Supply Bill, I don't... even though I agree in many respects with the Member...I don't think I could agree to anything like that, one reason being, of course, that the other two Members, Councillor Watt and Councillor Shaw, are not present, and it is hard to say whether they will be. The other is that we see around us even today the City of Dawson where we have, for instance, flood. We may have this in other communities. This is going to mean that the Health Budget...I think that Health is the farthest out of the whole works. They were given lots of money and haven't spent anything but, as a result of epidemic or increased facilities throughout the area, they may need this money. Of course, I also agree that some of this could be covered in Estimates. In any event, we have got so many different things coming up. We are on the verge of an economic boom. Possibly the figures will be closer together next year. I think the big point is, and I am sure the Honourable Member will agree with me, that when we sit down and discuss this Five Year Agreement, which we should have started on even a year ago.. when we sit down to negotiate this, this is where we are really going to have to talk turkey because I understand, from the Financial Advisory Committee, that they are thinking very much of cutting us back in relation to that agreement as well and we can't allow this to happen if at all possible. Actually, in relation to bringing Mr. Treasurer down here, I really don't think that there is anything that he can do, usefully, for us. If the Member wishes to have him here, I will go along with it but I can't see any useful purpose served in this. We should take this up when we do this stuff...the Five Year Agreement.. and be very firm on it. I might also point out that we have affected a substantial decrease already in the Budget...by about....less than a million.

Mr. MacKinnon: Yes, Mr. Chairman, I note that we have about 1¼ million over in the past Budget, but is this a bad thing? I would think it was a good thing. I am always tickled to death when I find I have a couple of dollars left over from year to year. Money not spent is still good valid money, and I don't think this is any disgrace to any part of the Administration. I think it's a credit to end up with 1¼ million balance. I don't know whether we would accomplish anything by deleting it. Maybe somebody would enlighten me on this particular subject. Would there be an advantage to deleting that amount of money from the Budget, or when the money is carried over, is that not a credit to Administration to manage things better than they had anticipated? BILL #4

Mr. Boyd: Well, Mr. Chairman, I notice that \$840,000.00 of this saving is in capital which means that something didn't get built. This still leaves us with, roughly speaking, a million dollars over-budgeted. Now, when you are running your business and you go to the bank and you want to borrow some money. The Bank isn't going to use these kind of figures and neither does Ottawa really. They intimated this fall that the budget is just out...exactly as we say it is...it's out that much money, so why do we put it in there? Why are we asking for it? They'll say we don't need it and they are the ones who are giving it to us. They intimated that they were going to lop off...I forget what the figure was...but it was quite a bit...because we are not going to spend it. It's just as simple as that. It could be that we may have to.....Administration may have to start getting down a little closer to the amount they are going to spend. It's all very well for me to go walking around with a million dollars in this pocket here knowing that it's there in case I want to use it. This is fine, but if I don't have any reason to use it, then I had better not borrow it and I'd better not ask somebody to give it to me to carry around in my pocket. That's about what it boils down to.

Mr. MacKinnon: Well, Mr. Chairman, that was very enlightening. I would like to mention that it is very difficult to foresee these particular things. For instance, our Federal Government, with all the brains involved, have done a certain amount of building...planning the City of Whitehorse at an estimated cost of \$250,000.00 and within a year from that time, the City is looking to borrow \$100,000.00 so they can go on with that project and in talking to certain contractors around the Territory, I am led to believe that the job will cost a half a million so they will still be short a hundred and some thousand or so. One Member also mentioned a few days ago that the cost of living has risen 17% in the past three months and it might rise another 20% in the next year. If the Budget isn't built up a little bit, can we go back then if we are that much short? Would this cause a difficulty?

Mr. Thompson: No, I don't think so, Mr. Chairman. This is the prime reason why we have supplementaries. This covers any contingency. I don't even know the feeling of the Council on this...whether a Motion of this magnitude would even be seconded. I feel strongly enough on the matter. I would very much like to hear Mr. MacKenzie's comments on it if Committee would concur.

Mr. Southam: Would Council agree to have Mr. MacKenzie come down here and give his comments?

All: Agreed.

BILL #4

Mr. Southam: Mr. Clerk, would you ask Mr. MacKenzie if he could be present. In the meantime, Mr. Thompson, would you take the Chair. I have a few things to say. All I have to say is that when we were down in Ottawa, Mr. Bolger, if I remember and I could stand corrected if I am not right, suggested that a 5% cut across the board...this would be logical. This is logical with any budget. This is the first thing that happens. You made a Budget...I made a Budget this year for the Housing up where I work. When it came back, it was slashed...5%, so I had to sit down again and do a lot of talking, trying to get enough money to get a little paint and what have you to satisfy the people with what I was doing. From what I gather, from what Mr. MacKenzie has said here in the Council, and I could stand corrected on this too, that this was, as he called it, a healthy sign, which may be or may not be right. I'm not saying it is; but what he did say was at the end of this fiscal year, this year we are coming into now, we would probably wind up with \$60,000.00 or a little bit better. This is what he said. He said this would cover the unforeseen things such as your Dawson flood, Mayo flood, or what have you. This is as I remember it, and if we had some further schooling or something like this, this is where it would come from. We would have it without having to go to Ottawa and having to wait three..six..months for some more money. It was here. This is the way I interpreted him saying. Now, we will have him down here and maybe he can enlighten us a little more. This is the way I understood it. I could be corrected on this thought. I will take the Chair, Mr. Thompson.

Mr. Thompson: Mr. Chairman, could I just comment...there is an item in the Engineering Budget for unforeseen circumstances in the amount of \$25,000.00 and I feel that this will adequately look after the flood situation in Dawson, Mayo, Porter Creek, or wherever it might be so I don't think we are too far out of line there. The other point that I would like to make to Mr. MacKinnon...he said that this is a very healthy sign to have all of this money left lying around because he likes to be able to rub two quarters together in his pockets at the end of the year when he has made his final payment to the Income Tax people, but there is a slight difference inasmuch as the money is Mr. MacKinnons, but we don't get this million and three-quarters back. The Administration keep it and spend it again. They accumulate a surplus and this keeps building up so there is no refund, and if you don't spend it, it's accumulated and goes towards other developments in future years so there's not....you are making a little difference in comparisons in this case.

Mr. MacKinnon: Mr. Chairman, I am more puzzled than ever. I would like to hear Mr. Clerk's opinion on this.

Mr. Clerk: I can speak on my own Department if I was allowed to.

Mr. Southam: What I was going to do was call a short recess until Mr. MacKenzie gets here. We will have a short recess.

All: Agreed.

Mr. MacKenzie, the Territorial Treasurer, enters the Council Chambers.

Mr. Southam: I will call the Committee back to order. We have Mr. MacKenzie with us. We are discussing the unspent surplus that we have here. It is of great concern to us. I will leave it to Mr. Thompson to ask his questions of you and maybe you can give us some explanation. BILL #4

Mr. MacKinnon: Mr. Chairman, I did have a question for Mr. Clerk if I could get an answer. I believe Mr. Clerk is aware of it.

Mr. Clerk: Well, as I said, I can only speak in relation to my own Vote. It is my understanding that at the end of the year, if I have an unexpended balance in any item in my Vote, it lapses. It's not carried forward as a surplus or as a bumper for the next year. If I want this money for the next year, it has to be revoted.

Mr. Thompson: Mr. Chairman, before I ask Mr. MacKenzie this, I would just like to further this question of Mr. MacKinnons. What I am saying is that in the figures that we have here in Sessional Paper No. 44, which shows the amount voted, the amount spent and the unexpended balance...I realize that each Vote lapses but what I am saying is that this \$1,000,000.00 surplus...this 1¼ million dollar surplus that is not spent, is still Territorial funds, otherwise how would we operate our Five Year Agreement. Now, Mr. MacKenzie, the general trend of this conversation has been that there is a decided difference, something like 17%, in the figures you supply for the fiscal year ending 1965, whereby we had a ten million dollar vote and a 1¼ million dollar...this is just roughly... unexpended...which you can see is approximately 17%. My question is if we were to ask for a 10% cut in the overall expenditures, would this mean an arbitrary 10% decrease in each of the Votes or how would you arrive at a figure? The reason that I ask this question is that there are three or four rather obvious Votes where there is...the unexpended amount has been fantastic as opposed to three or four Votes where the expenditures are practically the same as the Vote so I wouldn't want to arbitrarily say 10% off of each Vote because I feel that some of these Departments have been a little more cautious in their estimations, shall we say, whereas other have been rather...loose...that's about the way it looks, I would just like to have your comments on this. As I say, I have no feeling of the rest of the Council on this, but I feel strongly enough that some steps should be taken to curtail the trend of present spending.

Mr. MacKenzie: Well, I would advise against an application of a 10% cut to each and every Vote in the Estimates you have been discussing the past two weeks because that might leave us in the position of being short of funds in some of these Votes, whereas as you point out, in other Votes, it wouldn't make a scratch. It is impossible to say, at this stage, which Votes are likely to be hurt and which are not because everything put in these Estimates is thought to be required during this fiscal year. It is only as the year progresses that we find that this is not so. Take, for example, Y.H.I.S. There was a substantial saving there....\$162,000.00. That's simply due to over estimation of patient days at the Whitehorse General. We estimated more patient days than actually were required, and it is impossible to say now what will be required this fiscal year. Maybe there will be no lapse in money at all this year.

Mr. Thompson: Could I ask that if this situation did arise.. that the possibility of supplementary estimates would cover any contingency?

BILL #4

Mr. MacKenzie: Yes, but then I think you run the risk of having the Supplementary Estimates very much larger than have been up to the present. We try and cover everything in the Main Estimates and have no Supplementaries at all. Up to now, there have been very few items in the Supplementary Estimates.

Mr. Thompson: Could I ask Mr. MacKenzie one further question. Do you know off hand the amount of the Supplementary Estimates for last year, perchance? The reason that I am asking this is that I don't see, with a surplus of 1¼ million dollars, why we would have any Supplementary Estimates if this line of reasoning that you have just intimated is....

Mr. MacKenzie: Well, you have to realize that the Supplementaries are prepared in the early fall when the year is only half over. In the case of Y.H.I.S., there were no Supplementaries required. In the case of Travel and Publicity, there were. They needed \$10,746.00 more, and we ended up with a lapsing balance of \$5,300.00. In the case of the Library, it is similar. We needed \$8,300.00 in the Supplementary. We lapsed \$4,752.00. It's very hard to get these Estimates absolutely right. There's got to be a margin but, admittedly, we don't want too large a margin. Capital, of course, which is over half the lapsed money in 1965, is a case all by itself. We may visualize undertaking a project like a sewer and water system and then it happens that we are not able to do so for one reason or another and, therefore, the money lapses and looks bad.

Mr. Boyd: Mr. Chairman, this is quite a subject and I, personally, would feel that I would, as odd as it looks and so on and so forth, I would want to do a lot more thinking before I would want to come up with any hard and fast proposal. I know how it is and how things go, but it is the policy of the Federal Government. This is the way they work and it's pretty sad. I have seen Federal Departments step out to spend \$100,000.00 when they didn't need to spend it any more than fly....just because it was in the Vote. I don't think that is happening here in the Territory...at least not to this extent anyway. It's very minor, but it does happen in a very big way with Federal Estimates and this is the bad part of having that million dollars in your pocket...when you come along to the ninth month, or tenth, or eleventh month, and you find you don't need it. All of a sudden, boom, and you go out and spend 'er, and it's my money you are spending. I see it right here in the Yukon in quite some big way. This is my only concern about this kind of financing.

Mr. MacKinnon: Mr. Chairman, doesn't anybody have to sign the cheque before you get that money in your pocket and start throwing it around?

Mr. MacKenzie: Yes, of course. As far as I am concerned, there is no expenditure on that basis here. As far as I am concerned. I can control that.

Mr. Taylor: Mr. Chairman, I agree with Councillor Boyd in this respect, but I think it is important, and I reiterate this now that Mr. MacKenzie is here, and that is there is some fear here, certainly on my part and I am sure on other Member's parts, that when we renegotiate the next Five Year

Mr. Taylor continues:

Agreement that this factor is going to be a...be given a great deal of consideration by Ottawa and they are going to say, "Well, here's this 5%, or 10%, or 15% unexpended balance in your last Agreement so we will accordingly cut your next Agreement accordingly". This is something we have got to take a pretty close look at, and I understand that this is a possibility. It seems to me that the only effectual time that we can really discuss this would be in the discussion of this Five Year Agreement.

Mr. MacKenzie: These lapsing balances will not affect our next Five Year Agreement at all....not in the slightest.

Mr. MacKinnon: Mr. Chairman, if a plague would have hit the Yukon, this excess money in Health would have probably been all spent I believe. I feel that we are very fortunate that we haven't had a plague and I just don't understand Councillor Taylor's thinking. It looks to me as if this money is set up in case something might happen, say, for instance, like the 1918 'flu and then we would have none of this money left. Am I right?

Mr. MacKenzie: Not in this particular case. There's \$196,815.00 which lapsed last year for Health. It relates to two hospitals.. the Mayo Hospital and St. Mary's Hospital. We, at that time, when the Estimates were made up, used to pay out of the main Vote 5 for Mayo salaries and recover from the Hospital. Now, we changed our procedure. We now pay the Mayo salaries direct out of the Mayo Bank Account. So, the monies voted for salaries in Mayo in Health lapsed. That's about a third of this. St. Mary's Hospital...we took that over from the Sisters of St. Ann on August 16, 1963. First of all, I intended to operate it through the Health Vote. Then I changed my procedure, and I set it up as a separate entity...a separate bank account and a separate set of books...completely separate from Vote 5. Therefore, the money I had in here...this 196...for St. Mary's also lapsed. Those are the two biggest reasons for this. The third reason was the reduced number or value of Ninety Day Old Accounts which we have to pay Whitehorse General Hospital. Those are the three main reasons.

Mr. Thompson: Mr. Chairman, I haven't changed my opinion and I haven't changed my mind and I still think that reductions should be made but I don't imagine I would have any seconder to a Motion that would suggest a 5% cut across the board but I will make the Motion regardless. I would move that 5% be deducted from the Vote and this would be less than I feel that the Administration have put in there as a cushion and it is less by 12% over last year's fiscal figures, but I would so move.

Mr. MacKenzie: May I speak on this? I would have no objection to an across the board reduction of 5%, provided it could be applied where necessary, or where possible. If 5% could not be taken off Vote One, for instance, then I wouldn't want to do it.

Mr. Thompson: Well, let me say, Mr. Chairman, that I would be quite amenable to an overall reduction of 5% in the overall Vote and if this is in agreement with the Territorial Treasurer, I can't see where there would be any problem as far as Council is concerned.

BILL #4

Mr. MacKenzie: Yes, that would be quite...to be applied where possible. Now, that might be in Operation and Maintenance. It might be in Capital.

Mr. Thompson: Right, but it would be a saving of a half a million dollars, better than half a million dollars.

Mr. MacKenzie: If the lapsing balances amounted to this. I don't know how this could be coped with legally....towards the Appropriation Ordinance and I don't quite know how Ottawa would react. We will have to see, but I am quite agreeable to do this. I have no wish to see any lapsing balance.

Mr. Taylor: As I said before, I think that at this particular stage, I think it would be better to let sleeping dogs lie. We have made our point, I believe and sometime this fall we will be negotiating this new Fiscal Agreement and that would be the proper time to sit down and discuss this. I would also like to point out that I think that this is something, when we are referring to the Main Budget, that should be discussed with all Members present.

Mr. Southam: Anything further gentlemen? At this time, I will call a recess for refreshments and, at this time, could Mr. MacKenzie be excused?

All: Agreed.

Wednesday, 3:30 p.m.
May 11, 1966

Mr. Southam: I will call this committee back to order and we will carry on.

BILL #4

Mr. Taylor: Mr. Chairman, at this time I would like to move that Bill #4 be reported out of committee as amended.

Mr. Boyd: I second that motion.

Mr. Southam: It has been moved by Councillor Taylor and seconded by Councillor Boyd that Bill #4 be moved out of committee as amended. Are you ready for the question? Are you agreed? Contrary?

Mr. Thompson: Contrary.

Mr. Southam: The motion is carried. What is your pleasure now gentlemen?

Mr. Boyd: Mr. Chairman, I would move that the Deputy Speaker now resume the chair and hear the report of the chairman of committee.

Mr. MacKinnon: I will second that motion.

Mr. Southam: Moved by Councillor Boyd and seconded by Mr. MacKinnon that the Speaker now resume the chair and hear the report of committee. Are you ready for the question? Are you agreed? Mr. Speaker will now resume the chair.

Mr. Speaker: I will call the Council to order and may we have the report of the chairman of committee.

Mr. Southam: Mr. Speaker, Council convened as a whole to discuss Bills, sessional papers, memos, etc. at 10:30 a.m. Bill #6, moved by Councillor Boyd and seconded that it be reported out of committee as amended. This was carried. Moved by Councillor Thompson that Bill #12 be moved out of committee as amended. Carried. Bill #4, moved by Councillor Taylor and seconded by Councillor Boyd that this be moved out of committee as amended, also carried. That is all Mr. Speaker.

Mr. Speaker: Any errors or omissions? Are you agreed with the report of the chairman of committee. Apparently the only business which I can note ahead of us are two motions which were submitted this morning. If it is your pleasure I would entertain a motion that the rules of the House be waived and we proceed with them.

Mr. Boyd: I would move that and ask that Council as a whole agree to changing the rules in order that the motions from this morning can be discussed.

Mr. Southam: I will second the motion.

Mr. Speaker: It has been irregularly moved and seconded that the rules of Council be waived in order to process these motions. Are you agreed? Any contrary? Motion carried. Mr. Southam will you please take the chair.

MOTION #54

Mr. Taylor: Mr. Speaker, I have motion #54 "It is the opinion of Council, that effective immediately the Administration curtail any purchases of equipment or supplies from the City of Edmonton until such time as the Mayor or Council of said City of Edmonton signify to the Commissioner in writing, their intention to cease the commercial exploitation of the Klondike theme." May I proceed?

Mr. Speaker: Continue, Mr. Taylor.

MOTION #54

Mr. Taylor: The motion is self explanatory. It seems that some other action must be taken. It also appears that private enterprise are quite willing to get into the fray in this respect. In so much as we will be proroging possibly tomorrow it would appear most necessary that these sanctions be served on the City of Edmonton at this particular time and not be lifted until such time as the City of Edmonton have ceded to our request, to return our Klondike to it's proper place here in the Yukon Territory.

Mr. MacKinnon: Mr. Speaker, I think this is terrible. I believe that we are going a way too far and we cannot stop doing business with Edmonton over a trifle situation like this. This is getting unreasonable and out of control completely and I could not give my support on such a motion to stop purchasing from the City of Edmonton. Maybe we could buy things cheaper from the City of Edmonton. We have got to act like grown up people and surely we can come to some agreement without using child's play to achieve a method and I am very shocked to see such a motion as this before Council.

Mr. Boyd: Mr. Speaker, it doesn't say stopped, it says curtail purchasing and naturally wherever it is possible to buy equally as well elsewhere, there is no harm in buying elsewhere. I think that if the merchants of Edmonton find that some accounts are being lost, even slowed down, they are going to think about it and certainly they are going to do their utmost to take advantage of what has turned out to be their gold mine at our expense. There is no harm in curtailing it, no harm at all. I would think possibly with a motion at this time passing Council that there will be many merchants think the same way. They will buy where it is possible to buy on an equal basis and maybe we can bring some sense back in so far as this Klondike thing is concerned. It does not say stop it just says curtails and there is quite a difference.

Mr. Thompson: As seconder of the motion I concur wholeheartedly and I feel that this is a step in the right direction, something concrete can come of this situation.

Mr. MacKinnon: For Mr. Boyd's edification I am quite aware of the meaning of the word "curtail" and we must realize that we are just a handful of people and we are working against 400,000 in the City of Edmonton. I would try to achieve some other method of getting together and negotiating. These people aren't trying to steal from us. I believe that it is more or less agreed that they are going to give up the Klondike theme and we can go too far and get very deeply involved and if we do create any hatred from these people then we don't stand much of a chance in the Territory because we can't really battle them one by one....there are too many of them, and I just can't go along with a motion such as this.

Mr. Taylor: Mr. Speaker, I imagine this will close the debate by my rising but I must say that the two members not present now have signified to me their agreement with this motion and they are sorry that they would not be here to add to it. These are the guns that we are going to have to have in order to bring our Klondike home to it's proper place and I certainly hope that Council agree that the Mayor and the City Council of Edmonton will take this into consideration and get to work to insure that the Klondike is returned to Edmonton.

Mr. Speaker: Are you ready for the question? Are you agreed? Any contrary?

MOTION #54

Mr. MacKinnon: Contrary, Mr. Speaker.

MOTION
CARRIED

Mr. Speaker: The motion is carried. The next motion is #55.

MOTION #55

Mr. Thompson: Mr. Speaker, this is in reference to Territorial Council Quarters, Motion #55, "In the opinion of Council, due consideration should be given to the establishment of Territorial Councillors' office space in the Northwest Highway Headquarters Building, inasmuch as the future Council Chambers will eventually be located in this building". May I proceed?

Mr. Speaker: Proceed, Mr. Thompson.

Mr. Thompson: Mr. Speaker, this is only a recommendation in as much as the Commissioner had intimated that there is a move afoot to move the Territorial facilities up to the Northwest Highways Quarters Building in the very near future and it is quite conceivable that the Territorial Council will end up with new Council chambers in this building and it was just that some consideration should be given for office space for the Councillors were in Session, be this one office with seven desks or two with three or four. It is merely a formality but I think that they should keep this in mind so that when they allocate the various space in this building that some consideration should be given to our request. That about sums it up Mr. Speaker.

MOTION #55
CARRIED

Mr. Speaker: Is there any discussion gentlemen? Question has been called. Are you agreed, any contrary? Motion is carried. It seems that you have concluded your deliberations with the exception of processing of Bills and I wonder if you could signify if you wish to deal with these tonight or tomorrow.

Mr. Thompson: I would suggest Mr. Speaker, that we proceed with them at this time.

Mr. Speaker: Is Council agreed?

Agreed.

Mr. Speaker: I have for your reference Bill #4 as an amended Bill, Bill #12 as an amended Bill, Bill #6 as an amended Bill. We will require first and second reading to the amended bill and adoption of the title. What is your perogative?

Mr. Boyd: Mr. Speaker I would move that first reading be given to the amendment to Bill #4.

Mr. MacKinnon: I second it.

BILL #4
FIRST READING
AMENDMENT

Mr. Speaker: It has been moved by Councillor Boyd and seconded by Councillor MacKinnon that first reading be given to the amendment to Bill #4. Are you ready for the question. Are there any contrary?

MOTION CARRIED

Mr. Thompson: Contrary.

Mr. Speaker: First reading has been given to the amendment to Bill #4.

BILL #4

Mr. Boyd: Mr. Speaker, I beg move to give second reading to the amendment to Bill #4.

Mr. MacKinnon: I will second that.

BILL #4
SECOND READING Mr. Speaker: It has been moved by Mr. Boyd and seconded by Mr. MacKinnon that second reading be given to the amendment to Bill #4. Are you ready for the question? Agreed? Contrary?

MOTION CARRIED Mr. Thompson: Contrary.

Mr. Speaker: Motion is carried.

Mr. Boyd: I beg leave to move that third reading be given to Bill #4 as amended.

Mr. MacKinnon: I second it.

THIRD READING Mr. Speaker: It has been moved by Councillor Boyd and seconded by Councillor MacKinnon that third reading be given to Bill #4 as amended. Are you prepared for the question. Agreed? Contrary?

Mr. Thompson: Contrary.

MOTION CARRIED Mr. Speaker: The motion is carried. Do you wish the title adopted gentlemen?

Mr. Thompson: Mr. Speaker, I would like my vote recorded.

Mr. Speaker: Would you please note that Mr. Clerk.

BILL #4 Mr. Boyd: Mr. Speaker, I would move that the title to Bill #4 be adopted as written.

Mr. MacKinnon: I will second that motion.

Mr. Speaker: It has been moved by Councillor Boyd and seconded by Councillor MacKinnon that the title to Bill #4 be adopted as written. Are you ready for the question. Agreed? Contrary?

Mr. Thompson: Contrary.

MOTION CARRIED Mr. Speaker: I will declare this motion carried and Bill #4 has passed this House. What is your further pleasure gentlemen?

BILL #12 Mr. Boyd: I beg leave to move that the amendment to Bill #12 be given first reading.

Mr. Southam: I will second it.

FIRST READING Mr. Speaker: It has been moved by Councillor Boyd and seconded by Councillor Southam that the amendment to Bill #12 be given first reading. Are you ready for the question. Agreed? Contrary? The motion is carried.

Mr. Boyd: I beg leave to move that second reading be given to the amendment to Bill #12.

Mr. Southam: I will second that motion.

SECOND READING Mr. Speaker: It has been moved by Councillor Boyd and Councillor Southam that the amendment to Bill #12 be given second reading. Are you prepared for the question? Agreed? Contrary? The motion is carried.

Mr. Boyd: I beg leave to move that the third reading be given to Bill #12 as amended.

Mr. Southam: I second it.

THIRD READING Mr. Speaker: It has been moved by Councillor Boyd and seconded by Councillor Southam that third reading be given to Bill #12 as amended. Are you ready for the question. Agreed? Contrary? Motion is carried.

Mr. Boyd: I beg leave to move that the title to Bill #12 be adopted as written. BILL #12

Mr. Southam: I will second that.

Mr. Speaker: It has been moved by Councillor Boyd and seconded by Councillor Southam that the title to Bill #12 be adopted as written. Are you ready for the question? Agreed? Contrary? The motion is carried and Bill #12 has passed this House. MOTION CARRIED

Mr. Boyd: I beg leave to move that first reading be given to Bill #6 as amended. BILL #6

Mr. MacKinnon: I will second it.

Mr. Speaker: It has been moved by Councillor Boyd and seconded by Councillor MacKinnon that first reading be given to the amendment to Bill #6. Are you ready for the question? Agreed? Contrary? Motion is carried. FIRST READING

Mr. Boyd: I beg leave to move that second reading be given to the amendment to Bill #6.

Mr. MacKinnon: I would second that.

Mr. Speaker: It has been moved by Councillor Boyd and seconded by Councillor MacKinnon that the amendment to Bill #6 be given second reading. Are you ready for the question? Agreed? Contrary? The motion is carried. SECOND READING

Mr. Boyd: I would beg leave to move that third reading be given to Bill #6 as amended.

Mr. MacKinnon: I second that.

Mr. Speaker: It has been moved by Councillor Boyd and seconded by Councillor MacKinnon that the amendment to Bill #6 be given third reading. Are you ready for the question? Agreed? Contrary? Motion is carried. THIRD READING

Mr. Boyd: I move that the title to Bill #6 be adopted as written.

Mr. MacKinnon: I second that.

Mr. Speaker: It has been moved by Councillor Boyd and seconded by Councillor MacKinnon that the title to Bill #6 be adopted as written. Are you ready for the question? Agreed? Contrary? I will declare the motion carried and Bill #6 has passed this House. PASSED

Mr. Speaker: Gentlemen, I believe that concludes the matters before us and what is your pleasure in respect to the presentation of your replies to the Commissioner's opening address.

Mr. Thompson: Mr. Speaker, before we get into the formalities I wonder if the Clerk could ascertain if the Superintendent of Liquor is in town. I understand that he is due back and we have not had an opportunity to discuss his budget. If he were available I think we would have a few minutes discussion.

Mr. Speaker: We will have a short recess while the Clerk finds out if Mr. Vars is available.

Mr. Speaker: Gentlemen, I will call this Council back to order and what is your wish in respect to the agenda for tomorrow morning.

Mr. Thompson: I would suggest that we defer any discussions with the Liquor Department until tomorrow morning and after such discussions that we prorogue.

Mr. Speaker: Is Council agreed? What is your wish in respect to motions?

Mr. Boyd: I would move that there be no more motions presented to this Council.

Mr. MacKinnon: I second that motion.

Mr. Speaker: It has been moved by Councillor Boyd and seconded by Mr. MacKinnon that no motions are to be submitted to Council. Are you ready for the question. Agreed? Contrary? Motion is carried. What is your further pleasure gentlemen.

Mr. Thompson: Mr. Speaker, I would move that we call it five o'clock.

Mr. Speaker: It has been moved by Councillor Thompson that we call it five o'clock. Are you ready for the question. Agreed? Contrary. Motion is carried and I declare this Council adjourned until tomorrow morning.

Thursday, May 12, 1966.
10:00 o'clock a.m.

Mr. Speaker read the daily prayer and Council was called to order. Speaker G. Shaw was absent. Deputy Speaker D. Taylor assumed the Chair.

Mr. Speaker: The first item on our Daily Routine is correspondence. Is there any correspondence this morning, Mr. Clerk?

Mr. Clerk: I have nothing this morning, Mr. Speaker.

Mr. Speaker: Are there any Reports of Committee? There being no Introduction of Bills, I would then go to Orders of the Day. Are there any Notices of Motion for the Production of Papers? I believe there are no Motions. Are there any questions? We have completed all our Bills and Orders. I note on the agenda this morning that Council wish to revert to Committee of the Whole to discuss matters related to the Liquor Department. What is your pleasure, gentlemen?

Moved by Councillor Boyd, seconded by Councillor Thompson, that the Speaker do now leave the Chair and Council resolve itself into Committee of the Whole for the purpose of discussing Bills, Memoranda, Sessional Papers and Motions.

MOTION CARRIED

MOTION
CARRIED

Mr. Speaker: I will declare the Motion carried and Mr. Southam will take the Chair in Committee of the Whole.

Mr. Southam: I will now declare a short recess, gentlemen, while we get organized.

Mr. Southam: I will now call the Committee back to order. QUESTION #28
We have Mr. Vars, Superintendent of Liquor, with us. I understand that some of the Councillors wish to ask Mr. Vars some questions. First, Mr. MacKinnon has a question, Question, No. 28, re the liquor freight rates. Could Council be informed if any equalization attempt has been made in regard to fair liquor freight rates to all licenced premises in the Yukon? Mr. MacKinnon.

Mr. MacKinnon: Mr. Chairman, yes. This was the result of a discussion some time ago with Mr. Vars. We thought it might be possible to equalize the freight rates throughout the Territory, and I think Mr. Vars had planned to make some attempt to correct this problem.

Mr. Vars: I think I have been misinformed, Mr. Chairman. I was of the impression that the question had been answered. This would be a policy matter and would have to be discussed by both the Territorial Treasurer and the Commissioner. The agreement to pay the freight on beer to taverns only was introduced by Council some years ago. I feel that there would be quite a few extra dollars involved in the equalization of the freight and it would mean that the Treasurer would have to be involved in this also.

Mr. MacKinnon: Mr. Chairman, yes, we realize that the Treasurer would have to be involved. We also realize that the North Highway does face a problem and, as I have outlined before, Watson Lake is fortunate enough to have a Liquor Store. Therefore, the Government pay all freight on liquor to Watson Lake. They also pay freight on all liquor to Dawson City. The outlets there can have the liquor stored in their

QUESTION
#28

Mr. MacKinnon continues:

own basements at near to Liquor Store prices, but when you go almost three hundred miles north on the Alaska Highway where we haven't got a Government Liquor Store and these Taverns or Cocktail Bars have to pay their freight for the three hundred miles, it's pretty hard for them to realize profit as they do here in Whitehorse or other places in the Territory.

Mr. Vars: As I said, this Agreement was reached by Council some years ago. It was agreed at that time that Taverns should have preference but there was no preference given to Cocktail Lounges, primarily, I think, because Cocktail Lounges have the advantage over Taverns of being able to serve various types of beverages with probably equal, if not larger, profits than Taverns have. I think this was the main reason. You are mentioning north on the Highway. This condition is applicable to any place that is in between Liquor Stores outside of the twenty-five mile radius... it applies to any Cocktail Lounge or Tavern has to pay the freight from the nearest Liquor Store. In some instances, I think 1202 would be one, they prefer to have their supplies shipped from Whitehorse. There has been the opportunity of getting their supply from 1016 if they wish which would eliminate some miles from the freight.

Mr. MacKinnon: Yes, Mr. Chairman, I think the reason is that we do not have banking facilities in Haines Junction for such things as this that makes it more suitable to deal from Whitehorse even though the freight does add up to considerably more. In reading Votes and Proceedings from the first part of the Session, it does indicate the intention was to try and work something out on this particular matter. I hope that during the summer that Administration will make some attempt to equalize the situation.

Mr. Thompson: Mr. Chairman, I just have two questions to direct to the Director of Liquor Control and that is...I have mentioned this matter to Mr. Vars previously...and this is the matter of the lack of stock at certain times in Whitehorse and so, therefore, I would presume elsewhere in the Territory as well. I wonder if...this seems to be a continual problem that periodically certain items are in short supply, and I am wondering whether it would be necessary to suggest a change of policy in the amount of inventory that is carried. You have a rather healthy inventory and I am wondering, with this amount, it seems rather odd that this condition arises from time to time, and I am wondering if the solution or answer to the problem is a larger inventory to offset this problem.

Mr. Vars: I feel that this will be remedied once we are fully located in our new premises and have had an opportunity to operate out of there for a period of about two months. We have a little more space, which was one problem. I think that we will be putting in a tri-yearly order from Overseas rather than twice a year. You must realize that we order just about everything we have direct and in some instances it takes a longer time to get here than in other instances. Normally our Overseas liquor is ordered in January and it gets here anywheres from the first of April to July. We place a second order in June and it is usually in by the end of September. Now we are going to start placing a third order and this will eliminate the shortage in imported goods. Goods from the East seem to get fouled up at different times in transportation. One time it will take six weeks and the next time it will take two months or so. We hope to carry larger inventories and overcome this. I might say that I

Mr. Vars continues:

don't think we are ever out of any price brand. We normally carry eight or ten brands in a particular price range. We have a good supply, say in the \$5.95 price range, but we could be out of a particular brand.

Mr. Thompson: But you do feel that this problem is going to be under control?

Mr. Vars: Yes, I would say that it will be in very short order.

Mr. Thompson: My other question, Mr. Vars, is in reference to....I guess you would call them Liquor Vendors, or Territorial Agents, or people in these outlying places who are presently working six days a week. I don't see any provision in your Estimates here for time off. Is this Territorial Policy that these people will work six days a week?

Mr. Vars: I think this is correct, and I think the policy was gone over the Session before last with Council whereby the hours were outlined in the Ordinance that provided that our men are hired and paid on the basis of forty hours a week. The hours are such that they are working probably less than forty hours a week, but the hours are outlined for those outside of Whitehorse. I think it was realized at the time that these boys are working six days a week but they are only working forty hours for the total week.

Mr. Southam: Any further discussion, gentlemen?

Mr. Thompson: Well, I would just like to...further to this.. at one time, I think even here, the outlets were closed on a Monday. Was this when the change took place. I mean if... you increased your staff here to offset this. In other words, you still had the hours but you didn't close which meant an increase in staff, but in the outlying areas, you still have just the one man and the additional day, but you have cut back on the hours I take it.

Mr. Vars: Not exactly. This goes back to when the hours were incorporated in the Ordinance by Council and that was when the increase took place. At that time, the Whitehorse store was open twelve hours a day, from eight in the morning until ten at night, therefore, we had to take on extra employees. The outside areas were open from eight in the morning, with a break of one hour, and open again from one until six and it was agreed that the Vendors in the outside areas would be paid overtime for any time they worked in this particular instance. In the first of the Session last June, you allowed the hours to be changed to a standard operation of hours in the Whitehorse Store from six to nine right straight until closing with no lunch hour and you reverted back to a standard hours of operation for outside stores from ten to noon and two to six, which gives them something like a thirty-seven and a half hour or thirty-eight hour week although they are working six days.

Mr. Thompson: So, actually if a man wants some time off, he has to make his own arrangements?

Mr. Vars: If it is holiday time, we usually come up with a replacement. Most of the one-man operations have somebody available in the locality that can take over for a day if they wish to take a day off.

Mr. Thompson: The only other item I would like to ask Mr. Vars is that I don't see anything here to specifically tell me how many employees you have in your Department at this time. I see reference to fifteen where the Territorial Government is contributing in the case of Surgical and Medical Insurance and also in Unemployment Insurance and also in Death Benefits...you are going to have more people die because there's twenty-two in that Department. I am just wondering...

Mr. Vars: Our employees at the present time are twenty-two. I don't know why fifteen would be listed in there.

Mr. Thompson: My last question, Mr. Vars. There are no payroll figures or anything of this nature in here, but am I correct in assuming this \$130,267.00 is your budgeted payroll for the period?

Mr. Vars: I think, Sir, you will find \$130,267.00...that's right.

Mr. Thompson: Do you have it broken down?

Mr. Vars: No, I don't, but that is it there.

Mr. Southam: Mr. Thompson, will you take the Chair. Mr. Vars, I don't know whether this comes under your jurisdiction or not, but I would like to know what is the Regulation re serving of beer in cafes and such places on Sunday. What is the Regulation? Are people supposed to eat and drink or are they supposed to drink and then eat?

Mr. Vars: The interpretation previously applicable to the Beer and Wine Licence was that permission was given to serve beer and wine with meals each day of the week. The only restriction that was placed on the consumption of beer and wine and liquor with food is that receipts from food and liquor...the liquor must not exceed the food in a thirty day period.

Mr. Southam: Is there any restriction, shall we say, on any amount of beer and wine that you can have with any one meal or a sandwich, for instance?

Mr. Vars: The only restriction is that the operator is not to sell more dollar value of liquor over a thirty day period than he has of food. If one party comes in and has a meal and one bottle of beer, I suppose you could easily serve the fellow who wants a sandwich three bottles of beer...without any problem.

Mr. Southam: In other words, then, Mr. Vars, you buy a sixty cent sandwich or a forty cent sandwich and you can have three bottles of beer. Is that right? Am I to understand you right?

Mr. Vars: Not necessarily so. It depends entirely on the gross value that is taken for one in comparison to the other. Could I ask Mr. Legal Advisor about this?

Mr. Legal Advisor: This is right. The best that could be devised in 1962 was to satisfy the general average so that the place was not becoming a drinking establishment. If Council wishes us to come up with some other formula, we will try. I haven't come across a better formula in use in Canada, but it is true that one person might come in and order a \$2.00 meal and this would sort of build up a drinking

Mr. Legal Advisor continues:

credit for the person who came in and ordered a fifty cent sandwich. This could happen, but there is, of course, the overall power of the Commissioner, if the place is being run on those lines, to step in and suspend a licence. They needn't think that they can go on doing it indefinitely. They may do it in isolated cases.

Mr. Southam: Mr. Vars, could you tell me how often these receipts are itemized? Do you get these every month, or do you get them once a year? Some of these places I know, there must be quite a difference between the eats and the drinks. I am positive of that.

Mr. Vars: We would only have occasion to get these, I think, if we have a complaint. We have quite a few of the places that voluntarily send the receipts in by the month and they are certainly all in order. I realize that there might be one or two establishments throughout the Territory that are taking advantage of this but I think it is probably a law enforcement problem as much as it is ours.

Mr. Southam: Thank you, Mr. Vars. That answers my question. I will take the Chair back, Mr. Thompson.

Mr. Taylor: Mr. Chairman, I just had one question of Mr. Vars and that is has there been any progress made in relation to the liquor situation at Teslin?

Mr. Vars: We are still working on it. We contacted some of the operators of Bus Lines and some of the operators of Freight Lines. Unfortunately, at the present time, it seems that the people who do have these establishments are also the establishments or headquarters for bus lines or freight lines. This would mean that we would have to have somebody in the locality to act as our agent.

Mr. Southam: Any further question of Mr. Vars, gentlemen? May Mr. Vars be excused at this time?

All: Agreed.

Mr. Southam: What is your pleasure now?

Moved by Councillor Boyd, seconded by Councillor Thompson, that the Speaker do now resume the Chair and hear the Report of the Chairman of Committees.

MOTION CARRIED

MOTION CARRIED

Mr. Speaker: I will now call this Council to order and hear the Report of the Chairman of Committees.

Mr. Southam: Mr. Speaker, Council convened in Committee of the Whole at 10:10 A.M. to discuss Bills, Memoranda, Sessional Papers, Motions, etc. Mr. Vars, the Liquor Superintendent, was present to discuss questions asked by the Councillors. That is all this morning, Mr. Speaker.

REPORT OF CHAIRMAN OF COMMITTEES

All: Agreed.

Mr. Speaker: Now, gentlemen, we have reached a point in our deliberations where we give our replies to the Commissioner's Opening Address, and I think at this time that I will declare a very brief recess so that we may get ourselves organized.

Mr. Speaker: I will call the Council to order. At this time, gentlemen, we will receive the presentation of the replies to the Commissioner's Opening Address. Mr. Boyd.

CLOSING
ADDRESS
MR. BOYD

Mr. Boyd: Mr. Speaker, I have gravel in my throat this morning. It's not from talking too much in Council, I can assure you. We started off with what we thought would be a short Session and it turned out to be anything but. We have deferred a couple of Bills until the Fall Session. We have had some good stiff arguments, discussions and so on...now all water under the bridge. I am disappointed by the fact that we haven't been told yet who our new Commissioner is going to be and I think, had a little effort been put forth, this Council could have been accorded this consideration. It would certainly be nice to know who is going to steer this boat before we adjourn, but it appears that it is not to be that way. Commissioner Cameron is going to be with us until the end of the month only. This will be the last Council Session that he will attend, and I would just like to say that it has been a pleasure dealing with Mr. Cameron, either in Council or out. Any questions he couldn't answer, he usually joked his way out of one way or another, but he always got by. I am sure we all wish Mr. Cameron and his family the best of luck in his new field. Thank you.

Mr. Speaker: Thank you, Councillor Boyd. Councillor Thompson.

CLOSING
ADDRESS
MR. THOMPSON

Mr. Thompson: Mr. Speaker, I would just like to say that I sincerely hope that some benefits have been derived by the people of the Yukon from our deliberations at this Session. It has been lengthy, but I think probably some good has come out of it. I also, like Mr. Boyd, would like to take this opportunity to thank Commissioner Cameron for the great contribution that he has made to the Territory and also to wish he and his family the very best in their future endeavours. Thank you.

Mr. Speaker: Thank you Councillor Thompson. Councillor MacKinnon.

CLOSING
ADDRESS MR.
MACKINNON

Mr. MacKinnon: Mr. Speaker, I am very pleased to see this Session come to an end. It seemed continuous chaos from the start to the finish, and I hope that when we return in the fall that we can get off to a smoother way of handling the Territorial business than we have in this past Session. I would also like to mention that we are about to have a great loss to the Territory. We are going to lose Commissioner Cameron, and I would also like to mention that Dave Judd was, in my way of thinking, as much loss to the Territory as losing the Commissioner. Thank you Mr. Speaker.

Mr. Speaker: Thank you, Mr. MacKinnon. Councillor Watt.

CLOSING
ADDRESS
MR. WATT

Mr. Watt: Mr. Speaker, all I can say is that never has so little been done by so few and it has taken them so long. We could have adjourned here a month ago and accomplished just as much as we have accomplished now. It reached the point of ridiculousness.

Mr. Speaker: Thank you Councillor Watt. Councillor Southam.

Mr. Southam: Mr. Speaker, Members of Council. It is with mixed feelings that I make these few remarks. First, I must express regrets on behalf of my constituents and myself at losing our most genial Commissioner. We wish him and his family the very best of everything. While we did not get all Bills through this Session, some important legislation was accomplished. The most important, in my opinion, was the Motion starting the Territory on its way towards autonomy. This is something we must have if we are going to expand. The Territory is past the stage of a colony. We must govern ourselves and make our own decisions. The next five years could be the most momentous in the history of the Yukon. Mining seems to have taken a new lease on life, therefore, we must stir ourselves and see that proper towns are laid out with proper conveniences and all the necessities that make living worthwhile. This is the only way this country will get the population it needs. I regret to report that the Labour Bill was shelved till the Fall Session. This is something the Yukon needs badly, but we did manage to get the basic minimum wage set at \$1.25 per hour which is in line with The Canada Labour Code. The possibility of Medicare for the Yukon is also a step in the right direction. The reports in the press were fairly accurate and perhaps that is enough said. Thank you.

CLOSING
ADDRESS
MR. SOUTHAM

Mr. Speaker: Thank you, Councillor Southam. Of course, as you gentlemen all are aware, Mr. Speaker, Councillor George Shaw, the Honourable Member from Dawson, is away, taken away by the flood problem in Dawson and he has left his Address with Mr. Clerk. I would wonder, Mr. Clerk, if you would care to give Mr. Shaw's Address at this time.

Mr. Clerk: Mr. Speaker, I would feel that this Session, certainly the longest that I can remember, has the possibilities of being the most important of any that I have attended. I say possibilities because of the co-ordinated and fairly unanimous aims we have made in certain directions. The Resolution passed by Council with a large majority was to provide for a more responsible form of government for the Yukon. As far as I could ascertain, this desire for more home rule was unanimous, the minority dissension being only as to what degree that this should be implemented. Most Members including myself, do not feel that we are at this time prepared and ready to take our place as a Province of Canada with full control of all our Resources. Complete Province-hood is desirable but responsible thinking would indicate that we must take the first step first. This first step is still a giant step in which we would have the complete management of our own affairs, and in a Provincial manner, in matters such as Education, Welfare, Public Works, Justice, Recreation and so on. Following this and in a reasonable number of years and by virtue of experience and management and increased exploitation of the Yukon's Resources, we will be in a better position to become a full Province of Canada. This Resolution called for a fifteen man Legislative Assembly out of which a suggested number of five would perform the duties of Management at present conducted by orders from Ottawa. These five Members would be the Executive Council or type of Cabinet Ministers whose duties would be to run the affairs of the Yukon under the direction of the majority. I do not subscribe to the negative thinking that we do not have the brains and ability to run our own affairs in this first stage of independence.

CLOSING
ADDRESS
MR. SHAW

CLOSING Mr. Shaw continues:
ADDRESS The efforts put forth to organize the recent Northern
MR. SHAW Resource Conference and the success it achieved are a
testament as to what we can do. The efforts of the rela-
tively small community of Dawson City in carrying out a
Stratford type of stage presentation each year, financed on
a mere pittance, as a contribution to tourist promotion,
indicate drive and ability and I could no doubt quote many
other valid illustrations. For almost three score years
and ten, we have not been able to make one concrete advance
to accepting our responsibilities in our political manage-
ment as have our fellow Canadians. Yet we were reminded
recently by a well informed source that Manitoba had a
white population of just over a thousand people as far back
as 1879 when they were given this first giant step which
we are now asking for. Our request is not a new move or one
that has not been taken before, but a move that has been
tried and found successful in all of the Western Provinces
of Canada. It is a move that we are now ready for, and
fully qualified to accept, and to carry through. It is
also our democratic right. I am hopeful that the powers
that be in Ottawa will accept our proposals and recommend
these to Parliament rather than delay this matter by form-
ing a type of Carrothers Commission to tell us what they
think we shall have. We have taken positive steps. I now
feel that discussions can be entered into to work out the
details. As Councillor Taylor has aptly stated, "Let us
make this step towards Province-hood one of the highlights
of Canada's Centennial Year". I might add, what better
birthday present for Confederation. Another matter of
great importance is the unity shown by the Yukoners' efforts
in the campaign to stop Edmonton's usurpation of the Klon-
dike theme. A small but powerful group of Edmonton hucksters
are using our history to sell a product which does not belong
to them, in order to entice visitors to Edmonton from all
over North America. Stopping over in Edmonton on my way to
Montreal, I noticed dozens of large signs advertising Klon-
dike this or Klondike that until I wondered if I was still
in the Yukon, or in the Prairies. This promotion is of
major concern to the Yukon, as the term "Klondike" is a
saleable product, a product identification that we must re-
tain. The importance of retaining this Klondike theme is
indicated by the hundreds of thousands of dollars that
Edmonton is eagerly spending on this magic word in order to
generate millions of dollars of business. Stop them we must.
Stop them we will, as we cannot have two Klondikes. Regard-
less of how long this may take, moral right must prevail.
While this fight is continuing, we must not overlook the
equally important task of restoration. Surely it is worth
as much to all of Canada to restore the true setting as
Edmonton would spend to build the phoney. Besides the Klon-
dike being a major Canadian historic site, it is valuable to
the Yukon as our centre of tourist promotion, and is an in-
creasingly valuable renewable resource that is never depleted.
Before leaving the subject of the battle to retain the Klondike,
I would thank Council for their leadership and assistance, and
the Minister of Northern Affairs and our Member of Parliament,
who rallied to our support, along with Yukoners from one end
of the Territory to the other. I must stop here as there are
so many people who helped us that it would take too long to
enumerate them all. I would again say thank you. I share
with the rest of my colleagues and Yukoners generally, a
sadness at the pending departure of a most popular Commissioner.
I am sorry to see Commissioner Cameron leave the Yukon, and
would wish him and his family every happiness and success in
his new venture. Thank you.

Mr. Speaker: Thank you, Mr. Clerk. Councillor Southam, will you kindly take the Chair.

CLOSING
ADDRESS
MR. TAYLOR

Mr. Taylor: We have at long last reached the conclusion of our debate and although fairly long in duration, I must admit, I feel this session has to a great extent been a productive one indeed. Although some Members disagree in Council on many issues, I might say that I cannot, at any stretch of the imagination, concur with those who would feel that this Council, at any time, has acted, as a body, in a derogatory manner. This, gentlemen, is a fallacy. Firstly, I would like to draw the attention of all Honorable Members to the growing importance of the south-east Yukon to the Territory and its economy. Exploration and Development activity is as intense as ever before seen in the Territory. The winter long staking projects has given way to sophisticated programs of geophysical work and on site development. Indicated ore reserves are developing collectively to the stage where we can well look forward to the creation of a stable and long lasting industry in the mine development, smelter treatment and related fields. The capital expenditure in this area to date would stagger the imagination and future programmed expenditures throughout the Territory will do much towards the bolstering of our local economy here in the Yukon. Improved facilities at key points such as Ross River, Teslin and Watson Lake are essential if we are to keep pace with this expanded development, and I am confident that the governments at both levels will keep an eye on the situation, and assist private industry where possible and in the best interests of the Territory. During this Session, the matter of Autonomy arose once again, and was dealt with at some length. The result of these many discussions was that we, Mr. Speaker, have made known to Ottawa, by firm Resolution, our desire to step out of the dark ages and proceed towards that provincial goal, which is the rounding out of Canadian Confederation, namely, province-hood for the Yukon. But not overnight. The first step is a big one...the formation of a democratic and responsible form of Government, the acceptance of some provincial administrative responsibility, and the participation on a junior partner basis in our Resource management. Some have scoffed at this proposal, feeling that we should take over everything now, and even others are opposed purely on partisan political grounds, but I say to you Mr. Speaker and Honorable Members, that common sense will and must prevail to insure a successful, progressive and flowing transition towards the day when we can control our own destiny. Those who reject this thinking on partisan political grounds are going to have to revise their thinking and get together, for this is a job for everybody and, as I am sure you will agree, Mr. Speaker, ranks far above prejudicial politics. Every one of the ten provinces of Canada at one time, many with small populations and financial Resources, I might say, had to take this very same step. And let's face it, gentlemen, this step that we have taken, is not only bold and imaginative, but is essentially prerequisite to the placing of the people of the Yukon into the mainstream of the Canadian economy and participation in that outstanding Canadian relationship which is Confederation. Now is not a time for skepticism, indecision or prejudice, but rather now is the time for forthright determination...intelligent representation and unfaltering courage. These, gentlemen, are the attributes which will ensure our success. I need not point out that the success of our journey to the East in pursuit of our Klondike Heritage, other than to say that we have been given the firm assurance of Expo '67 officials that the City of Edmonton, Alberta, will not, and I repeat, not, be permitted to distort history by utilizing the Klondike theme in their display, and in fact the Yukon Territory will have a display, though somewhat more modest than formerly contemplated, located near the main gate of Expo, through which over thirty million people are expected to flow. I would also

CLOSING
ADDRESS
MR. TAYLOR

Mr. Taylor continues:
like to remark, Mr. Speaker, on our battle to regain the Klondike. The interest shown nationally and internationally in our cause is outstanding and support is mounting daily. Support from the good citizens of Edmonton has exceeded our fondest hopes, and serves to indicate their repulsion towards the high power promoters and civic officials of their once popular city, who have usurped our gold rush history and heritage. The Mayor, Mayor Dantzer, and Edmonton Exhibition Officials, have laughed at the Yukon in an arrogant display of disrespect for the Yukon and its people. But, Yukoners are proud people, and in true tradition are more than willing to fight for their rights, which in this case is their outstanding contribution to Canadian and North American History. It was, therefore, deemed necessary yesterday afternoon, Mr. Speaker, to instruct the Territorial Administration to curtail all purchases from the City of Edmonton until the Mayor and Council of that City signify in writing to the Commissioner their intention to stop once and for all the commercial exploitation of the Klondike theme. Already many in private enterprise are following suit and I understand that some major settlements in the Northwest Territories are considering following as well. This is a positive approach and, though regrettable to some extent, is necessary, if we are to regain this important renewable Resource. I would also like to take this opportunity, Mr. Speaker, to pay tribute to the Klondike Defence Force which, as a fighting wing of Council, has done so much for the common cause in such a short period of time. They have dedicated themselves to a three-fold task. Firstly, to bring back our Klondike to the Yukon; secondly, to encourage an active restoration program in the Klondike area; and thirdly, to assist in the development of a Klondike oriented Tourist promotional program. A noble venture, indeed, Mr. Speaker, and most certainly one which enjoys the fullest support of all Yukoners both within and without the Territory. In closing, I would like to thank those members who assisted me with both representations of my district and the Yukon as a whole. I am confident that our efforts will bear much fruit, and that they have contributed much to our citizens here in the Yukon Territory. To Mr. Commissioner, soon to retire, may I, on behalf of all those I have the honour to represent at this table, express our appreciation for a job well done. We will miss our Commissioner dearly and we send along to him and his family our sincerest best wishes for their future, and we hope that from time to time we may have the opportunity to renew that most wonderful relationship which we have enjoyed these past many years. And, finally, Mr. Speaker, I would like to wish all Members of Council and Members of Administration alike, an enjoyable summer season and continued success, until we meet again at the fall session.

Mr. Speaker: Thank you, Mr. Taylor.

Mr. Taylor resumes the Speaker's Chair.

Mr. Speaker: Mr. Clerk, I wonder if you would kindly escort the Commissioner into the Council Chambers for his closing speech, and I will declare a very brief recess, gentlemen.

Mr. Speaker: I will now call the Council back to order. Mr. Commissioner, the Council of the Yukon Territory has, at its present sitting thereof, has passed a number of Bills to which, in the name and on behalf of the said Council, I respectfully request your assent.

Mr. Clerk: The Bills requiring assent are:

Bill No. One - An Ordinance to Amend the School Ordinance

Mr. Clerk continues:

- Bill No. Four - An Ordinance for Granting to the Commissioner certain sums of money to defray the expenses of the Public Service of the Territory (Second Appropriation Ordinance 1966-67).
- Bill No. Five - An Ordinance Respecting the Immunity of Members of the Yukon Territory.
- Bill No. Six - An Ordinance to Amend the Municipal Ordinance
- Bill No. Seven - An Ordinance to Amend the Low Cost Housing Ordinance.
- Bill No. Eight - An Ordinance to Amend the Elections Ordinance.
- Bill No. Nine - An Ordinance Respecting Securities.
- Bill No. Eleven - An Ordinance to Amend the Yukon Housing Ordinance.
- Bill No. Twelve - An Ordinance Respecting Wages in the Yukon Territory.
- Bill No. Thirteen - An Ordinance to Amend the Companies Ordinance.
- Bill No. Fifteen - An Ordinance to Authorize the Commissioner to Purchase a Sewage Disposal System from the Municipal Corporation of the City of Dawson.
- Bill No. Sixteen - An Ordinance to Repeal the Loan Agreement Ordinance 1961 No. 1, Chapter 2, 1961 (2nd Session).
- Bill No. Seventeen - An Ordinance to Repeal the Whitehorse Land Sale and Loan Ordinance (1961).

Mr. Commissioner: Mr. Speaker and Members of Council. Your spring Legislative Session for 1966 has completed its business and it is my privilege and duty to prorogue your Council. The Administration will make every attempt to carry out your suggestions and wishes where economical, practical and permissible. As you realize, we are on the last year of the Five Year Financial Agreement and we will have to be extremely cautious in order to stay within our remaining funds. Unexpected situations arise such as the recent Dawson City flood, which must be taken care of as expeditiously as possible and which will require considerable equipment, time and money. We are most fortunate that in this disaster there were no fatalities and under extreme conditions the people of Dawson City acted most efficiently and are to be commended for their efforts. You dealt with many and varied subjects during this Session and have survived considerable frustrations and at times heated outbursts. This has been the longest Council Session in history and I am sure you all feel that some means of speeding up the conducting of Council affairs is essential. I certainly hope you will be successful in finding a solution as every indication is that the goose is about to lay a golden egg for this Territory, providing we do not destroy the nest and scare off investment capital, which appears so readily available at this time, by indicating an inefficient or weak local government. The workload placed before you each year is being increased and it is, therefore, understandable that a week-long Council Session which proved to be sufficient a few years ago is no longer acceptable. However, after discussing this subject with individual Councillors at various times, it appears to me that you are all of the same opinion; that seven or eight weeks is actually going to the opposite extreme. This, however, is your problem and as I have mentioned above, I feel certain that with concerted effort as a Legislative Body you will be able to increase the efficiency and harmony of your own House. For your information as Councillors, present plans call for the Territorial Government and possibly certain Federal Departments of the Department of Northern Affairs, to move out of this Federal Building and take over the entire headquarters building in the Takhini area. Should these plans reach fruition over the next few months,

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Mr. Commissioner continues:
your Fall Session will be held in a proper Council Chamber which is available in that particular building. As my resignation becomes effective the end of this month, I will not have the opportunity of addressing you again as Commissioner and I would like, therefore, to take this opportunity of passing on my appreciation for the courtesies you have shown me during my term of office. I would also like to wish each and every one of you and your families all the success in the future and, no doubt, our paths will cross again many times in the years ahead. I hereby assent to the Bills as outlined by your Clerk of Council. Thank you, Mr. Speaker and Members of Council.

Mr. Speaker: Thank you, Mr. Commissioner. I would like to thank you, Mr. Commissioner, for your Closing Address and, further, on behalf of all Members of Council, I would like to say that we have enjoyed and appreciated the wonderful relationship which has existed between Council and yourself over these past four years. The contribution you have made to both the Administration and the Territory as a whole has been outstanding indeed and the benefits of your efforts on our behalf will be experienced and enjoyed I am sure for many years to come. To you and your family, Sir, we say God Speed and extend our sincerest best wishes for the future.

Mr. Commissioner: Thank you, Mr. Speaker.

Mr. Clerk: It is the Commissioner's will and pleasure that this Council now be prorogued and this Council is, accordingly, prorogued.

Council prorogued on May 12, 1966.