YUKON TERRITORIAL COUNCIL

FIRST SESSION 1967

Votes and Proceedings

Volume 3

Mr. Speaker read the daily prayer and Council was called to order. Councillors Watt, MacKinnon and Boyd were absent.

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

Mr. Clerk: There is, Mr. Speaker.

Mr. Speaker: Have we any correspondence this morning?

Mr. Clerk: I have a letter addressed to Mr. Speaker, Members of Council, re Low Cost Housing and Yukon Housing Ordinances - Interest rate changes. "A communication has been received from the Director requesting that we delay implementing the changes to the above ordinances, due to the fact that a submission has been placed before Cabinet, whereby the Commissioner would be given authority to set the interest rates at the same level as C.M.H.C. Under the circumstances I would request that no further action be taken on these Bills until the Director has notified us of the Cabinets' decision. J. Smith, Commissioner." LETTER RE LOW COST HOUSING & YUKON HOUSING ORDINANCES

Mr. Boyd enters the Council Chambers.

Mr. Clerk: We also have Sessional Paper No. 102 on the Alaska Highway; Sessional Paper No. 103 on Paving of the Alaska Highway; Sessional Paper No. 104 in reply to a Motion for the Production of Papers No. 3; and Sessional Paper No. 105 in reply to Motion No. 19. SESSIONAL PAPERS #102 #103 #104 #105

Mr. Speaker: Thank you, Mr. Clerk. Have we any further correspondence? If not, we will proceed to Reports of Committees. Have we any Reports of Committee? We have no Introduction of Bills this morning. Have we any Notices of Motion and Resolution?

Mr. Boyd: Mr. Speaker, I beg leave to give Notice of Motion, moved by myself, seconded by Mr. Thompson, concerning arrangements for the connecting up of South Access Road to Second Avenue. NOTICE OF MOTION #25

Mr. Speaker: Thank you, Mr. Boyd. Have we any further Notices of Motion and Resolution? If not, we will proceed to Orders of the Day. Have we any Notices of Motion for the Production of Papers? We will proceed to Motions. We have Motions for the Production of Papers but Mr. MacKinnon isn't here so we will proceed to Motions. The first one on the Agenda would be Motion No. 22, Mr. Taylor, Extension of Beaver Trapping Season. Mr. Taylor.

Mr. Taylor: It has been moved by myself, seconded by Mr. Shaw, "That in view of the seasonably late spring, the Administration extend the allowable beaver hunting season accordingly. May I proceed, Mr. Speaker? MOTION #22

Mr. Speaker: Proceed, Mr. Taylor.

MOTION #22

Mr. Taylor: Mr. Speaker, as has been the habit in the past, whenever we have a late spring, we have accorded the beaver trappers an additional fifteen days in order that they can extend their trapping season due to the lateness of the break-up and it is necessary that this be done generally a month ahead of time, in around the first of May, so that the trappers going to the bush may know prior to their departure that they will legally be allowed to trap up to whatever period the Game Department sets. Generally speaking, it is the 15th, but I have kept it kind of open to the discretion of the Game Department so this is what this Motion asks for.

Mr. Boyd: Mr. Speaker, it says "in view of the seasonably late spring, the Administration extend the allowable beaver season accordingly." This is a direct demand and who is to say that it is a late spring? I haven't seen any sign of the lateness yet really.

Mr. Taylor: If that's a question, Mr. Speaker, I can answer it by saying that it most certainly is and if one gets out in the bush, he will notice this. Actually, I believe my intent was unseasonably late, however, this is the way it is worded. This is done incidentally by Regulation. It's a normal thing. It just conveys to the Game Department our willingness to extend the beaver trapping season accordingly.

MOTION #22 CARRIED

MOTION CARRIED

Mr. Speaker: The next Motion is Motion No. 23, Mr. Taylor, Disturbance of Native Burial Grounds. Mr. Taylor.

MOTION #23

Mr. Taylor: It has been moved by myself, seconded by Mr. Southam, respecting Disturbance of Native Burial Grounds. "It is respectfully requested that the Administration, in conjunction with the Governor in Council, take all steps possible to ensure that no permission will be given to anthropologists or scientists to disturb native burial sites without the direct consent of the Native Band concerned, having first been obtained in writing, approving excavation or removal of such remains or artefacts." May I proceed, Mr. Speaker?

Mr. Speaker: Proceed, Mr. Taylor.

Mr. Taylor: During a question period the other day, I did direct a question to Mr. Legal Advisor in respect of who had permission under the Yukon Act to allow scientists to come and in general excavate in Native burial grounds and it has been brought to my attention, both through experience of many years working with these people and also through some members of the Indian Agency, that scientists have from time to time come to the Yukon and actually removed skulls and this sort of thing. We have now passed a Cemeteries Ordinance which prohibits the tampering or molesting of graves or graveyard sites, which I think would extend to the Native people, but we have not provided for the inclusion of the Native people to give the consent to scientists to come in and do this sort of thing. I believe they do this under permit, Mr. Speaker. This is a rather important thing for the Native people because they have no tribal tradition as such but they do very highly respect and honour their dead so this Motion would ask that something be set up whereby the Chiefs and Councils of the bands concerned would have to give their consent before any of their burial grounds could be disturbed.

MOTION #23 CARRIED

MOTION CARRIED

Mr. MacKinnon enters the Council Chambers.

Mr. Speaker: The next item on the Agenda will be Motion No. 24, Mr. Boyd, Auto Insurance Claims.

Mr. Boyd: Mr. Speaker, the Motion reads, moved by myself, seconded by Mr. Thompson, "That Council discuss in Committee the manner in which Auto Insurance Claims are being handled." May I proceed, Mr. Speaker? MOTION #24

Mr. Speaker: Proceed, Mr. Boyd.

Mr. Boyd: From time to time we hear remarks of dissatisfaction and so on concerning automobile accident insurance and I think it would be wise for Council to discuss this in Committee where we can give it a good airing and see if something can't be done to eliminate the dissatisfaction that we hear about once a month in this Yukon.

MOTION CARRIED

MOTION #24 CARRIED

Mr. Speaker: Well, gentlemen, that completes the Motions. We have the question period. I will call a short recess at this time and see if the....perhaps, first, before I call the recess, would there happen to be any questions that you wish to ask of the Commissioner this morning?

Mr. Taylor: Mr. Speaker, I have a couple.

Mr. Speaker: You have. I will call a short recess and see if we can contact the Commissioner.

Mr. Commissioner enters the Council Chambers.

Mr. Speaker: I will now call this Council to order. We have the question period at this time. We have the Commissioner with us. Have you any questions?

Mr. MacKinnon: If I am permitted, Mr. Speaker, I would like to ask the concurrence of Council to put this Motion for the Production of Papers No. 7 under the heading of questions. This was my intention in the first place to have this in the form of a question and possibly I rose at the improper time and got it under Notice of Motion for the Production of Paper. I am sorry for that error and I would like to transfer it to questions.

Mr. Speaker: Well, Mr. MacKinnon, we all make errors. It will just be a matter in this case of requesting....I think the best way....that the Motion be withdrawn. I will then put that question to the House and if they so agree, then you can just ask the question in the normal manner.

Mr. Boyd: Mr. Speaker, is there a Motion? Who seconded the Motion?

Mr. Speaker: Mr. Watt, but this is a Production of Papers. There is no seconder to the Motion.

Mr. Taylor: Well, Mr. Speaker, if Mr. Watt will withdraw as seconder, I would agree that it be withdrawn but I would point out that it seems to me that the thing comes more properly under Motions. It does make a recommendation here that can only be determined by the Council itself.

Mr. MacKinnon: Mr. Chairman, the intent was to put this as a question and there was no seconder. Mr. Watt was not a seconder. When I handed the document to the Clerk, it was written as a question.

Mr. Speaker: I understand, Mr. MacKinnon. You asked to withdraw this Motion for the Production of Papers, do you? I think we can....

Mr. MacKinnon: Yes.

Mr. Speaker: I might state, gentlemen, that quite frequently there is a Motion put in and later a seconder is found. That has happened in the past....extenuating circumstances.....is it your pleasure that the Motion be withdrawn?

Mr. Taylor: Without a seconder, Mr. Speaker, there can be no Motion.

Mr. Speaker: That is quite correct but there are extenuating circumstances and I am asking is it your pleasure that the Motion be withdrawn?

All: Agreed.

Mr. Speaker: The Motion is withdrawn. Have you a question Mr. MacKinnon?

QUESTION #5

Mr. MacKinnon: Yes. My question will be to the Commissioner and I would like to have a written answer in reply re Catholic Episcopal Corporation. "In view of the fact that when the Commissioner requested a Board be set up on education, has it been considered that in 1959 it was stipulated that one of the members be of Roman Catholic faith? Also in view of the fact that we have Roman Catholic Separate Schools under the supervision of the Yukon Superintendent of Schools and in view of the fact that we already have an agreement with the Catholic Episcopal Corporation regarding Separate Schools, I would like to question Mr. Commissioner as to whether he has given consideration to appointing a representative of the Catholic Episcopal Corporation to the new Board for selecting a new Superintendent of Yukon Schools?"

Mr. Watt enters the Council Chambers.

Mr. Speaker: Thank you, Mr. MacKinnon. Have we any further questions this morning?

QUESTION RE STUDENTS GOING TO QUEBEC

Mr. Southam: I would like to ask Mr. Commissioner.....I notice in the paper that several students are going down to Quebec to get these medallions and I have been asked by a few of the people in my constituency...who chooses the students and what are the requirements. Possibly you could tell me where I could go to find this out.

Mr. Commissioner: Mr. Speaker, I would gladly answer the question if I knew but I certainly am not going to let the Councillor go to the trouble to find out. I will promptly find out and see that it is properly reported to Council.

Mr. Speaker: Thank you, Mr. Commissioner. Have we any further questions? Mr. Taylor.

Mr. Taylor: I have two questions. One would be has any progress been made, Mr. Speaker....I would direct this to Mr. Commissioner....has there been any further progress in relation to the Five Year or the Two Year Agreement or whatever period of Agreement it is?

QUESTION RE FISCAL AGREEMENT

Mr. Commissioner: Mr. Speaker, it is a reasonable anticipation that this document will be available for Council very promptly. It is my understanding that it has passed all the necessary hurdles in Ottawa and is on the way to us by mail from there.....I think today or tomorrow. When I say by mail from there either today or tomorrow, I mean that it is leaving Ottawa at that point. I am sure that it will be here very promptly for Council's consideration.

Mr. Taylor: I have another question which involves around another question I asked yesterday, Mr. Speaker, and this has to do with the catering contract for the Corrections Institutions. I believe that the tenders were opened on the 25th which would be yesterday. I am wondering if the Commissioner can inform me as to how expensive this proposition would be by having caterers as opposed to the initial program of hiring cooks and letting the prison labour do the cooking.

QUESTION RE CORRECTIONS INSTITUTE CATERING

Mr. Commissioner: At this time, Mr. Speaker, I can't give Council that answer because it hasn't...any analysis that has been made certainly hasn't come to my attention yet but it certainly will be and at that point in time, why, it will give us an opportunity to see what course of action we are going to try to follow in this thing and I would be very happy to see that Council is informed.

Mr. Taylor: A supplementary question to this. Is it intended by the Commissioner that Council will be given the opportunity of making the decision in this regard?

Mr. Commissioner: Mr. Speaker, if Council wish the opportunity of making this decision, I am very happy to give it to them.

Mr. Taylor takes the Speaker's Chair.

Mr. Shaw: Mr. Speaker, I have a question I would like to direct to the Commissioner. In relation to....a couple of years ago or so, I introduced a Motion that the Government investigate the high cost of fire insurance rates in the Yukon Territory. I believe I did ask for some data on that. I wondered....had I got the question over to the Commissioner at the time during Committee and if so, is he working on getting the data on the results of the inquiry which I believe there was some kind of a.....perhaps I do not make myself clear...

QUESTION RE FIRE INSURANCE RATES

Mr. Commissioner: I think you make yourself abundantly clear Mr. Speaker. Mr. Clerk, can you tell me if anything is transpiring on this at all? I would suggest that we try and get this here for Council's information as soon as possible. May I speak on this subject while I am on my feet, Mr. Speaker?

Mr. Speaker: Proceed.

Mr. Commissioner: I am going to say this to you, gentlemen. In this connection we are entirely dependent upon such information as we can get from private sources and we are only given such information as these private sources care to give us. We have no means of knowing whether this information is factual or whether it is simply presented to make a case on behalf of thepeople who are selling the insurance. In other words, the only people that we can get these answers from are the very people whose livelihood depends on their ability to make money out of the insurance business. What I have seen up until this point doesn't impress me as information upon which Council or anybody else would care to pass any judgment as to what is transpiring in these things, however, this is no excuse for us not getting this information to the Council table and I would ask Mr. Clerk that if there is any difficulty encountered in securing this information that he will let me know.

Mr. Shaw: Thank you, Mr. Speaker.

Mr. Shaw resumes the Speaker's Chair.

Mr. Speaker: Have we any further questions?

QUESTION RE LIQUOR

Mr. Thompson: Mr. Speaker, on April 13, I asked for the Production of Paper concerning liquor prices and I was led to believe at that time that these figures were readily available and I am wondering why the unnecessary delay in this matter and, also with reference to liquor prices, there was also to be a paper prepared with reference to this smozzle in Dawson City and I am wondering where that is.

Mr. Commissioner: This is a perfectly justified question. I have just left my office, after having a conversation with Mr. Vars and Mr. Fleming, and there are three papers in connection with liquor that should be available here for tabling either this afternoon or first thing tomorrow morning. There is one in connection with comparative liquor prices that Councillor Thompson asked for. Secondly, a report from the Liquor Superintendent on the unauthorized price changes in the Dawson City liquor store and thirdly, a comprehensive paper in connection with the Liquor Ordinance asking Council's opinions on certain aspects of liquor control in the Territory.

Mr. Taylor: Just a supplementary question to that that has been puzzling me for days and days and that is...to the knowledge of Mr. Commissioner, was in fact an increased price schedule sent out to all the liquor stores in anticipation of the acceptance of Council of this new Liquor Tax?

Mr. Commissioner: Yes, this is absolutely correct, Mr. Speaker. There was....the necessary price lists were calculated and they were made available to liquor vendors with the explicit instructions that they may or may not ever come into effect and until such time as they were given further instruction that these price lists were strictly not to be put into use. It was a very straight forward situation. There is nothing that we are going to say to the contrary about it.

Mr. Watt: Mr. Speaker, this was a supplementary question that arose out of one of the answers that the Commissioner gave. Is the Administration still anticipating, or still preparing, a draft Ordinance....amendments to the Liquor Ordinance? QUESTION RE LIQUOR

Mr. Commissioner: Mr. Speaker, subject to anything of a housekeeping type nature that the Legislative Programming Committee may be looking at, I am not aware of any amendments to the Liquor Ordinance that are coming from the Administration at this Session but I am subject to correction on this from Mr. Legal Advisor if such is not the case. Could you verify that one way or the other, Mr. Legal Advisor?

Mr. Legal Advisor: There is nothing that is being prepared for presentation at this Session. The objective was, I understood, to clean the whole thing up and not to deal with it in two big bites.

Mr. Thompson: Mr. Speaker, in this regard....I have a Motion before the Council at this time with reference to an amendment to the Liquor Ordinance and I have specifically asked that this be deferred until such time as proposed or possible amendments to the Liquor Ordinance were brought forward by Administration and I had understood from the Commissioner that these were in the process of being prepared for presentation at this time. As I say, this was my interpretation of remarks that he had made previously and the only reason that I introduced this Motion is that it has been some considerable time since we began the Session and I felt that conceivably, with the proposed changes that I had introduced, that they would be incorporated with the Administration's presentation but now I understand from the Commissioner's remarks that no such alterations or amendments to the Liquor Ordinance are proposed by the Territory at this time and I am just wondering where the difference arises.

Mr. Speaker: Gentlemen, tomorrow morning...or I should say when we discuss this liquor question in committee, could we take up these matters at that time? Would that be agreeable?....these matters of liquor?

Mr. Taylor: Well, is there going to be a Sessional Paper forthcoming shortly?

Mr. Commissioner: This is just what I have given Council assurances of. I have to apologize to Council on behalf of the lateness of some of these papers but quite frankly, gentlemen, but with absences due to other official things, we just arrive at a point in time where it has been impossible to get some of these things here as promptly as they should have been. I think that when Council asks for something that it should be here very promptly, Mr. Speaker, and I have nobody to blame but myself for not getting them here.

Mr. MacKinnon: Mr. Speaker, I would like to ask the Commissioner if we can expect to see the Brands Ordinance this Session? QUESTION RE BRANDS ORDINANCE

Mr. Commissioner: Mr. Speaker, I think that Mr. Legal Advisor has something that he might be able to enlighten Council on on this.

QUESTION RE BRANDS ORDINANCE

Mr. Legal Advisor: Mr. Speaker, I am reading now a letter which is being drafted for the Commissioner to the Speaker and Members of Council regarding Motion No. 36, the First Session of 1966, and it is headed Stallions Running at large, Brands Ordinance. "The matter of stallions running at large in a few locations in the Territory has been the cause of complaints in the past, particularily from horse owners who endeavoured to control breeding of their stock in order to prevent colts being born during the winter months. The cause of the complaints in the locations referred to does not exist at present as the stallions have been disposed of or gelded. This problem could well arise again, and should this occur it is intended to have pound districts constituded, pound keepers appointed, and bring into effect the provisions of the Pounds Ordinance in order to deal with the situation in those localities effected. Considerable study has been made by the Legal Advisor of the Brands Acts of Alberta, Saskatchewan and British Columbia, as the result of a question raised in the Territorial Council, regarding the feasibility of instituting a Brand Ordinance in the Territory. A proposed suitable Brand Ordinance was drawn up by the Legal Advisor and forwarded in the usual manner for consideration and drafting. The matter received considerable attention in Ottawa and a lengthy explanation was eventually received from the Director covering the obstacles encountered in the Province of British Columbia in enforcing the regulations covering stallions and bulls running at large. However, as mentioned above this matter can be attended to here through implementation of our Pounds Ordinance. A Brands Ordinance was considered necessary for several reasons. The first being to assist the owner in identifying his horses and to prevent duplication of Brands, also to assist the authorities in identifying ownership of maltreated and neglected animals. At this time it appears that all persons owning more than a few horses in the Territory make use of a brand, and the fact that brands have not been duplicated is possibly the result of a mutual understanding between the horse owners. If a Brands Ordinance is considered necessary in addition to the controlling of stallions running at large some guidance in respect to policy would be appreciated, particularly concerning one question that readily comes to mind; should it be on a compulsory or voluntary basis. If a Brands Ordinance is legislated it is felt that a registration system could be worked out and attended to by one of our existing Branches. A copy of the proposed Brands Ordinance is attached for your information. Your comments and guidance would be appreciated." That is the draft Ordinance, Mr. Speaker, that I worked up when the question was raised by Councillor MacKinnon and this paper and the draft Ordinance will be coming to the Council within the next day or two. There's a tremendous load on the typing staff and what I am reading here is in fact a draft. I trust that answers your question.

Mr. MacKinnon: Mr. Chairman, now have I collected this right to assume that the stallions at large..this no longer exists? This problem does not exist? Where did Mr. Legal Advisor gather his information?

Mr. Legal Advisor: I am only quoting from this Paper. I can only research that question and possibly Mr. Fitzgerald will have more information on that but could that be reserved for discussion when you have the actual paper before you and the draft Ordinance because if you approve the draft Ordinance, it is conceivable that it could be enacted at this session and you will, of course, be reviewing it item by item when it is before you.

Mr. MacKinnon: Yes, Mr. Speaker, but I would like to mention at this time that the problem still does exist.

QUESTION RE BRANDS ORDINANCE

Mr. Speaker: Yes, thank you. We are on the question period, Mr. MacKinnon. Have we any further questions? If we have no further questions, I would be prepared to....

Mr. MacKinnon: I would like, Mr. Speaker, to ask the Commissioner when I can expect a reply with regard to the disposal of hay at the Experimental Farm. I had a phone call last night and there are several people quite concerned about the handling of wood contracts also.

QUESTION RE HAY AT EXPERIMENTAL FARM & WOOD CONTRACTS

Mr. Commissioner: Mr. Speaker, I can say on this hay situation, we have made inquiries here weeks ago from the Department of Agriculture concerning this particular pressing matter. In fact, I started the questions on this long before the Council Session as a result of questions that were asked at a meeting that I attended at Haines Junction. I will certainly do my utmost to get them here and, also, we have to deal with other Departments in getting the answers on wood contracts but I would certainly hope that they will be forthcoming promptly for Council.

Mr. Speaker: Thank you, Mr. Commissioner. 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. Taylor will take the Chair in Committee of the Whole.

Mr. Taylor: Gentlemen, we will be proceeding with the Budget and I will declare a short recess.

Wednesday 26th April, 1967.
11.00 a.m.

Mr. Chairman: I will now call committee back to order and I believe Mr. Commissioner, you have some items you wish to discuss.

TOURIST ADVISORY COUNCIL & TOURIST HISTORIC SITES BOARD

Mr. Smith: Mr. Chairman, I need a little help from Council to complete the Tourist Advisory Council and also the Tourist Historic Sites Board, and I wonder Mr. Chairman, as I understand it here on these items I still have to hear from Councillor Shaw and Councillors MacKinnon and Boyd on the Tourist Advisory Council and I am wondering if my information is accurate or if these men have already filed their nominees for these things and they have possibly been mislaid in some of my own papers.

Mr. Shaw: Mr. Chairman, regarding the letter I received from your office, I immediately sent a letter to Dawson to the Klondike Visitors Association and asked whom they would recommend so I could pass it along and I have not received an answer from them. I shall send another letter to get an answer. I'm sorry about the tardiness but as far as the Tourist Advisory Committee is concerned I did advise you on that I think about two months ago.

Mr. Smith: On the Tourist Advisory Committee we have your letter -

Mr. Shaw: No, I beg your pardon, on the Historical Sites one - you have my letter.

Mr. MacKinnon: Mr. Chairman, I have some appointments in my district and I have a sort of package deal. If you would be good enough to go on this Advisory Committee and then you get an invitation to Princess Alexandra's banquet and I got stalled out and I had a question for Mr. Commissioner as to whether this would be formal dress.

Mr. Smith: I'm in no position to answer that one.

Mr. MacKinnon: I wonder where I could get this information.

Mr. Smith: I'm sure the Clerk would be very happy to get it for you.

Mr. MacKinnon: Thank you Mr. Commissioner.

Mr. Boyd: I have yet to find somebody to go on the Tourist Committee, Mr. Commissioner, but I will do it as soon as I can.

Mr. Watt: I'd be happy to help, Mr. Boyd.

Mr. Smith: I would appreciate it very much on the matter, gentlemen, because we are most anxious, now that we have Council's approval to these things to proceed with them. Yesterday morning in Council the question was raised on seeing that people were advised about the Municipal Winter Works Incentive Program and due to actions on the part of the Speaker I find that we sent out 21 forms last Fall and

MUNICIPAL WINTER WORKS

Mr. Smith continues...

apparently this has been a habit for a couple of years past and I am wondering if Council would not consider that this was adequate or are they looking for some further type of advertisement in this connection. I see that we are sending these letters to all Territorial Councillors, to the various Chambers of Commerce, Local Improvement Districts and so on down the line. Now if Council is looking for further action I will be very happy to see what I can do or do they consider that this was adequate.

Mr. Chairman: Would committee agree that this was adequate?

Mr. Watt: Mr. Chairman, could I ask the Commissioner to put the names of the City Aldermen on the mailing list? I think that might help. I'm disappointed in the amount of use that is being made of this.

Mr. Thompson: Don't feel badly Mr. Watt, I think there have been only two applications in the past five years.

Mr. Shaw: It is a difficult one to take advantage of but when it was raised yesterday the people didn't know about it I knew that they did because I received information myself and also information of where several letters have been sent and it was all over the country and sent to the Shakwak Valley Community organization.

PRIVATE MEMBERS BILLS

Mr. Smith: May I carry on Mr. Chairman? Now, yesterday or the day before a question was asked concerning what assistance if any a Councillor could expect from the Legal Adviser in the preparation of private members bills. Now I don't have to go into the background of this gentlemen; we are all placed in a rather peculiar situation here, namely we don't have access either as individuals or as a council or as an administration to an unlimited supply of legal talent and I say this to you gentlemen that we will assist all that we can within the limits of the time available to the Legal Adviser members requesting assistance in drafting private members bills. Now as you know we have in the administration a group that are constantly working on legislative programming. Legislation is something that is a living thing, constantly changing and there are constantly new requirements and they have continually requests and requirements that they have before them all the time and I say this to you that it would be appreciated if in order to avoid conflict with already pending legislation, in other words to avoid duplication of effort, that the main policy in the private bill be discussed with myself before the legal adviser is requested to assist in drafting. Now all that I ask this for gentlemen is simply to avoid duplication of effort that-in other words that already may be at the administration level the very thing being prepared that possibly a private member has in mind. But I assure you gentlemen we will give you the fullest co-operation that we can from the legal adviser within the limits of time available to him - this is private members - in the construction of private members bills.

Mr. Southam takes the chair.

PRIVATE MEMBERS BILLS

Mr. Taylor: This is why I asked the question. I don't feel we should have to go to get permission from administration to use the services of the Legal Adviser in preparation for a private members bill. We had a situation whereby some time ago we were going up and down the streets trying to get some of these lawyers in town here to help draft legislative course for private members bills and they were making an absolute botch of the job because -none of them seemed to be able to come up with the right answers anyway and I think that Council - one of the inherent rights of Council has been I believe, or has been in the past up to this point should have a legal adviser to the Council whereby members can get together with the legal adviser without going to the administration to get permission. I think that in the case of legislative programming the legal adviser would be quite aware whether or not the policies that are being embodied in a bill- he would know equally as much as the Commissioner would or any of the top administration as to what is program and what isn't and I really can't see any reason why we should have to go to the Commissioner for permission to have bills drafted.

Mr. Smith: Mr. Chairman, you have me entirely wrong. I'm not suggesting this at all. I don't think I can offer any more co-operation than I have suggested and Mr. Chairman I am not suggesting that you need my permission - I'm merely suggesting, I think that I have bent over backwards to co-operate with Council. All I'm asking is they simply co-operate with me by possibly informing me of what the main policy is that they are suggesting and I have got available to me the legislative programming committee minutes and I can say well this is something that we have not at the moment under consideration or conversely this is something, here it is right now - you may wish to leave your matter until it comes through these channels or you may wish to proceed. I am not in any way inferring that my permission is required to get the legal adviser.

Mr. Taylor: Then am I to understand that even though the policies to be embodied in a private members bill may not be in concert with the policies that administration would like to enjoy - even so you still have the services of the legal adviser to prepare these things for council.

Mr. Smith: I am not making any inference that I would even endeavour to inflict administration thinking. I am saying this that we are having all the trouble that we could possibly have as far as time is concerned and I mean this genuinely gentlemen ...you talk to any member of my staff and they will confirm this and all that I am saying is this, that if we are already doing something or have it at a certain point in time, it would be only right and reasonable that the member would give consideration at that point as to whether or not he wished to proceed with it - the private members bill in the full knowledge that certain other work was going on that was going to give effect to the same thing or if it was not going on at least he would know at that point that he was not creating a duplication of effort on the part of theadministrative people or the staff of the administration. That is all I'm saying.

PRIVATE MEMBERS BILLS

Mr. Boyd: Mr. Chairman, it strikes me that this would be far reaching-this private member deal. There are private members bills going through in Ottawa-occasionally they get to the top of the ladder, but very seldom. But there, whoever is submitting that bill would have the support of his party or at least concurrence of a committee before he would proceed and I can visualize three councillors for example ...with an idea and they would all go to the legal adviser and want a private members bill which might entail no end of work. Each one of them being one individualistic idea without any discussion whatever from shall we say a group of three or something. I just don't quite like the idea of administration being subjected to one man's idea. I don't think council should be put into this position either. I think they should be a little more particular concerning how this private members bill should be handled. It is all very well to get an idea - I can go on naming lots of people who get ideas and where and howlthey get them but the next week or so they are pretty much of a dead horse. And in the meantime administration has been put to no end of trouble.

Mr. Taylor: Mr. Chairman, I'd just like to point out that this is a right that members must have. I mean this is a right of any other legislative body. We are restricted in the sense that we are a Crown colony and advisers to the Commissioner but we are in hopes that maybe some day we can get out of this pickle we are in but in Rule 69 of Council it states it is the duty of the law clerk of council to assist members of council in drafting legislation. That is why I raised the question in the first place. If two members of council wish to prepare a bill that is their prerogative. As a matter of fact some very good legislation is brought in in this matter across Canada and in the mother parliament... It used to be we could get this done and I am wondering if this policy is to continue.

Mr. MacKinnon: Mr. Chairman, I would like to remind Mr. Taylor that on one of his private members bill which was Labour Legislation it was that think and this must have been a terrific amount of work for somebody just to be brought before Council and thrown out because we didn't feel that one member was capable of drafting that type of bill. So I think he should give some consideration and be reasonable and not just try and prolong it by getting a half inch thick private members bill. If it is something important everybody will go along with it but if it is just to get out on a tangent and repeat what was already done it is not necessary.

Mr. Taylor: Mr. Chairman, I'm one of the boys who does his homework on this job and take an interest in being a Councillor and on this particular occasion that private members bill was a product of council the session before on labour legislation. It was an effort made to represent it to council- the administration refused to do it. I submitted it in company with another councillor as a private members bill. That is where that one came from. And one who does his homework.

Mr. Watt: It looks like that one was based on the Councillor's home work ..... I would like to say I had some discussions with a member of the Legal Department in Ottawa a couple of years ago and ....we talked about this very thing. I was

asking him about drafting of legislation and he informed me, and I could be corrected here, Mr. Legal Adviser, that legislation can be drafted either by a private lawyer or by a member of the legal department. His opinion was that usually in the provinces and House of Commons a member that was presenting a private members bill had it drafted himself first and then submit it to ....and legislature, so I don't think our prerogative to have legislation would be denied us if we wanted to have legislation drafted. We could go to a private lawyer to have it drafted but the fact remains just to have it introduced into legislature here or to the council here you have to have the majority of council to even introduce it so it is not worth talking about - you have to have more than two people-when it is introduced you have to have, as we introduce all our bills you have to agree upon it. If it is not agreed upon then it is not discussed-it is a waste of time. But you can't waste council's time with it. So, I'm satisfied with the statements the Commissioner has given us and I found the legal adviser and administration co-operative and I have myself introduced a private members bill. The last time was about four sessions ago and I consulted the Commissioner first and the Legal Adviser and we drafted this and Council agreed upon it and it was done and possibly the legal adviser could comment on it-what I said. But I don't think that anything is taken away from us with respect to this. The only thing I would be slightly concerned about is if the legal adviser may possibly interpret going to somebody else as not having.....

Mr. Shaw: I think it is very good what the Commissioner just stated. I think we must consider the present set-up. The Legal Adviser is a one man Department and if all members go to him and want to create bills then that does... it does take a great deal of work and then present it to council and have it thrown out - it could become a somewhat frivilous matter and therefore I think that by the co-operation that is extended to us I think that is very good.....and at the same time I would bring to your attention the matter we were discussing yesterday of getting another legal adviser because one man in this position for the whole Territorial Government is absolutely too much work to expect any person to do. That is most important.

Mr. Taylor resumes the chair.

Mr. Chairman: Anything further on this item?

R.C.M.P. BAND

Mr. Smith: You asked yesterday concerning the movement within the Territory of the R.C.M.P. Band. May 4th an evening concert here in Whitehorse. May 5th afternoon concert in Whitehorse, May 5th evening concert in Whitehorse. It does not appear as if they are going to any other point in the Territory. I have one other item, Mr. Chairman, but I haven't brought the necessary documents with me. I may have the privilege of speaking to Council on it this afternoon. There were a couple of questions outstanding from yesterday. One in particular was regarding the proposed affair at the Chilkoot Pass and the matter of the Festival of Arts and both these answers I will have available after lunch time today or I will give them to council tomorrow. This is everything I have, and thank you very much Mr. Chairman.

VOTE #9 Mr. Chairman: Gentlemen, we will proceed with the budget. Vote 9, page 13. Have you anything further on the Whitehorse Statutory Grant?

WHITEHORSE STATUTORY GRANT

The next item, gentlemen, is the Whitehorse Maintenance Grant in the amount of $9,947.00.

Mr. Shaw: Mr. Chairman, I was talking to Mr. MacKenzie this morning, our Territorial Treasurer, and he has very important matters to do at the moment with regard to the Departmental Agreement and he asked that he be excused except when actually necessary to provide information to council.

Mr. Watt: I believe he was going to answer this question about the Whitehorse grant and the assessment - he was going to find out the relationship between the grant and the assessment so could we leave that until Mr. MacKenzie comes back.

Mr. Shaw: I said that-I did ask how long it would take to do this and he said about a week and I said there was bound to be some questions (inaudible) and he is quite prepared to come for anything Council wants to know, just that he doesn't have to be here when not necessary.

Mr. Chairman: Are you clear on the Whitehorse Maintenance Grant, gentlemen?

Mr. Thompson: Mr. Chairman, I'm of the same opinion as Mr. Watt on this that there are questions to be answered in reference to this and I certainly appreciate Mr. MacKenzie's position but I also would like to take into consideration the time of council as well.

Mr. Shaw: Mr. Chairman, I would suggest that if we need Mr. MacKenzie then we just ask for Mr. MacKenzie. He's quite willing to come, he just didn't want to be here when it was unnecessary - perhaps we could put it that way. He could answer a question and then he could take off and come back again.

Mr. Smith: If you would let me know what the question is, Mr. Chairman, I can do something but I'm mixed up on a lot of these things. What is the basic question?

ASSESSMENT OF PROPERTY IN WHITEHORSE

Mr. Watt: I believe the question was that I hear objections from the City of Whitehorse that the assessment of government property hasn't been made recently as has been made with private property and that the grants that are being given by the Territorial Government are not in keeping with the increased cost to the City and they are not paying their fair share. Could you clarify that-when the assessment was last made to Territorial property? And how they obtained this $1,000 of assessed value compared with the same assessment .....?

Mr. Smith: The answer to when it was last assessed I can't give you but I can certainly tell you this that my understanding is that they pay a grant that is the equivalent of the mill rate based on the assessment but I think in a question of this nature it is a very important question, gentlemen, and I think that we should get a proper written answer tabled for council on this and if Mr. Clerk would make a note of this question, first of all when was the last assessment of Federal and Territorial buildings made within the City of Whitehorse and, secondly, the basis of their taxation payments in relation to their assessment. I think that is a

Mr. Smith continues..

very important question the Councillor has asked on this and it is very important to get a proper answer.

Mr. Watt: To further elaborate on what the Commissioner has said. We have here a rating of ten mills in the Statutory Grant and from what Mr. MacKenzie said yesterday if I interpreted it properly - private property is assessed at 16 mills.

Mr. Shaw: Mr. Chairman, Mr. Mackenzie said that this was not in lieu of taxes, this was a statutory grant and that they also paid further grants in relation to roads and other matters. I'm not saying that the ten mills is what it should be but that is the way he explained it. That this was not in lieu of tax that this was a statutory grant and it may be possible that the statutory grant isn't sufficient and I would not argue about that. This was not in lieu of taxes.

Mr. Smith: Mr. Chairman, this is right in your blue book, you know, your Agreement. This is part of the assistance to municipalities that you have given under the terms of the Agreement that you have with the Federal government. I think you will find it right there under the Municipal Section of your book.

Mr. Chairman: Yes, gentlemen, this is where it all starts. But we have no agreement as yet so again I can't see how you can discuss this...

Mr. Smith: Well, it is based on what has gone on in the past..we don't know what...anymore than you do but we had to come up with a budget.

Mr. Watt: Mr. Chairman, I'd like to clarify what we were talking about - along with these other grants that he is talking about ...are grants that we give to the City the same as any provincial capital gives to the city in a municipality. Now this is apart from these grants.... now there is a regular municipal assistance legislation in all the provinces where the municipalities .....are assisted and this, I don't think, is part of it - this is actually or basically a grant... I think the Commissioner is looking this up.

Mr. Smith: We will get this verified for you but I will confirm Mr. Chairman that thisis not a grant in lieu of taxes, this is a special grant for purposes of assisting the City of Whitehorse but we will get a written answer for council so that there can be no further question in any councillor's mind what this is all about.

Mr. Boyd: Mr. Chairman, I understand that the City are in a position of dealing with administration concerning their affairs and Mr. Watt points out that City Council has a complaint. It would seem to me the first place to express and ask for answers would be for the City Council to discuss it with administration. I think this is the first place to get it clarified and then if the City still has some complaints, that are well founded, justifiable, then talk about it. But certainly they should get the answers in the first

Mr. Boyd continues..

place from administration themselves if they have a complaint.

Mr. Watt: Mr. Chairman, I don't know if anybody in Mr. Boyd's constituency ever complains to him but members of the City Council complain to me, individuals complain to me and quite a few of these people are sometimes from Mr. Boyd's constituency...representing property in Whitehorse and it is my job to help bring these things up, and the Commissioner has adequately suggested that he would try and get the answers for us and I would like to leave it in his hands.

Mr. Boyd: I'd like to suggest that if I were a Councillor that before I would come to a position of this kind I would make sure that they had done their share of finding out and whether it was factual or not. This is simple. If administration had these complaints-I would have said to the City well, what does administration say. This is the first question I would want answered rather than accept everything willy-nilly and so on.

Mr. Watt: I read these complaints in the paper. I have had them given to me personally - now what is Mr. Boyd's point? I'd like to ask you, what is your point, are you - the Commissioner said he would try and get this information for me to my satisfaction. Now are you trying to say that the Commissioner couldn't get this, is this the point of your argument, or what are you talking about? Is this what you are saying?

Mr. Boyd : If you ask me a question I would say why did you wait until this late date to get the information and to ask for it. The Commissioner has been around here six months that I know of and you could have had this answer long ago and had your constituents happy one way or the other without waiting for this moment. This is my point.

Mr. Watt: Mr. Chairman, I'd say there are roughly 7,000 people in the City limits of Whitehorse that aren't happy and this is why a special meeting was called here in Council and I'd like to further ask the Commissioner ...this was brought up I understand there's further negotiations going on with the committee, or with the City ..administration and would you like to report on the progress of this?

Mr. Smith: Mr. Chairman, since my last report to Council I was asked.....and all I can say is we are available to meet with them -that meetings have not been held - I could put it this way, that if meetings have been held they have been held in the last day or two and I have nothing in front of me regarding the outcome. But there is certainly no lack of co-operation with the City of Whitehorse as far as we are concerned.

Mr. Shaw: Mr. Chairman, the part I don't understand about this is the fact that the Mayor and Aldermen are the people who represent the elected people that represent the people of Whitehorse. Now, if they have any problems it is their duty as representatives of the people to bring those matters

Mr. Shaw continues...

to the attention of the administration. If they do not get satisfaction from the administration then it is up to them whether or not to bring it to attention of the Territorial Council. Now I think myself Mr. Chairman that these people are very much confused because when they came here at that particular time they made certain statements contained in a brief that were not factual at all. They had not had meetings with the administration and apparently the papers are doing a lot of writing back and forth ...but.. no meeting of minds and after all I don't like to interfere with the municipal affairs. I think they are a self-governing body. It is up to them to run the affairs of the City and if they can't run it and have troubles with the government of the Territory then I think they should make proper representations to the Council. Now they have made representations and I believe they agreed there would be a meeting of minds and until that meeting comes about -until we know what their wishes are I don't think Council can take any, what you might say, unilateral action in respect of this. Maybe they are happy, maybe they are unhappy, but I'd certainly like to know what that body has in the way of a definite proposal to solve their difficulties. I think that we must accept the fact that they are the people that are running the City - they have the right to run it in conformity with the Ordinances and if they are wrong it is up to them to come up here and ask for changes.

Mr. Watt: Mr. Chairman, I'd just like to point out that I'm also a resident and taxpayer - a taxpayer of the City of Whitehorse and I represent the taxpayers of the City of Whitehorse and as a taxpayer of the City of Whitehorse if the Territorial Government is not paying their fair share and it's being stuck on my shoulders and about six, about four thousand other constituencies like this-in my constituency ...I think the Territorial government should pay their share and this is what I want to determine. Now if Mr. Shaw and Mr. Boyd want to continue to obstruct and not get this information - and not let me get this information-which the Commissioner has already said he would help us get - then just carry on but this is simply a point that I am trying to make - I want to clarify this - I represent about 5,000 taxpayers in the City of Whitehorse as well as people outside the City of Whitehorse and if they are being burdened with extra heavy taxes because we are not paying out share.....then I think this should be clarified and as Mr. Shaw says if the City is not pleased they should see administration -well they have and they are not pleased-. this is why we had a meeting - this is why we had a meeting, they are not pleased and this is why I'd like to leave this open and have the Commissioner clarify this for us so that if any of the City Councillors come to me again, which they do, or anybody from my constituency, taxpayercomes to me and says we are not paying our fair share then I have an answer for them and I think I should have the answers for them. And the Commissioner has agreed to try and get these answers and I appreciate it. And we, and the city certainly needs any grants that is due to them and is coming to them, because the financial situation, as we all know, looks pretty sad and I don't want to comment on the maintenance of the

VOTE #9 Mr. Watt continues...

City in general but this is partly because of their lack of funds.

Mr. Shaw: Mr. Chairman, I'm not saying that they don't need any help - all I'm saying-that these are the elected people. I have a municipality in my particular area - I served on that municipality and I understand their problems perhaps better than members that haven't served on a municiple body and it is a problem being on a municipal body - you always have problems -you always have more expenditures necessary than you have budget but I'm sure that in my particular municipality that happens to be in my electoral district is operated by a mayor and council and they seem to iron out their difficulties with the administration. If they have any problems that they can't then they come to me and I do my utmost to resolve them and I think the same procedure could apply here. As I stated before, they fall over each other going and coming from work so there is not any distance involved. And if they have problems and they are not solved -why? But I think it is their duty to first institute matters of why they want this or they want that or they want something else. They are a responsible government and I do not wish to impose in any manner on the running of their affairs. I'm always prepared as a member of council to assist them but it is up to them to run the affairs of the City.

Mr. MacKinnon: Mr. Chairman, maybe I can help to drag this out. It looks to me as if Mr. Watt asked the Commissioner a simple question - the Commissioner agreed to answer it and we got into a half hour debate on absolutely nothing - instead of going on with the business we are just quibbling- we are bringing personalities into the argument where it is not necessary ...

Mr. Shaw: Mr. Chairman, I did not bring any personalities into it.

Mr. Chairman: All clear?

All: Clear.

Mr. Chairman: It is noted for your edification that there are 700 taxpayers in Whitehorse, 745 in Dawson ... Well, gentlemen, are you clear on the Whitehorse Maintenance Grant in the sum of $9,947.00?

Mr. Watt: Mr. Chairman, I think that we have agreed that Mr. Commissioner is going to come back with an answer,-just leave this for the time being.

Mr. Chairman: Gentlemen, I believe yesterday I made a note that we would be coming back to this and all agreed but somehow we got back off the track again. Now are we clear on the Whitehorse Maintenance Grant in the sum of $9,947.00?

All: Clear.

Mr. Chairman: Good, now how about the Dawson Statutory Grant in the amount of $14,047.00. VOTE #9

Dawson Road Maintenance Grant	-$3,845.00.
Dawson Conditional Grant	-$46,090.00
Mayo Services	-$ 5,481.00
Mayo Fire Protection	-$ 4,445.00
Mayo Sewer-Existing Provision for Maintenance & repair to Sewer	- $ 1,755.00
Mayo Water Services.	- $ 8,200.00.

Mr. Boyd: Out of curiosity. How does the water services, sewer turning out. Are we - is it in operation fully are the people receiving monthly bills and so on-and are they being paid.

Mr. Southam: Mr. Chairman, well Mr. Boyd, the water is running around and around and comes out down by the river. That part is running all right but I understand that they had a little trouble with the water bills - they can't come to an agreement- it is the Department of Municipal Affairs that can't come to an agreement how this should be billed- whether monthly, quarterly or yearly but when I asked at the meeting we had in Mayo and the concensus of opinion was that they would sooner be billed monthly and I passed this on to Mr. Spray who I believe is in charge of this Department and from then on I haven't heard anything further. ... But the sewer seems to be working satisfactorily as far as I know.

All: Clear.

Mr. Chairman: Next is Watson Lake Services...

Mr. Watt: I'd like to ask the Commissioner, am I interpreting this right-they pay $1.52 per month for water service?

Mr. Smith: No, per unit .. if you take a look, Mr. Chairman, you will see under the Recovery Section here, for example, I don't know exactly what a unit is referred to but I am assuming it would possibly (inaudible)

Mr. Southam: Mr. Chairman, I think if I interpret this right that the unit in the...I believe that that was considered as rooms now I may be wrong in this but this is the way I took it.

Mr.Smith: It is multiple, for example, the Silver Inn Hotel is designated as being 42 units and that is 42 by $1.52 per month per unit is what the Silver Inn Hotel pays- in other words in round figures they pay $70.00 a month for the water service at the Silver Inn Hotel. The Chateau Mayo pays, roughly speaking, $125.00 a month - your monthly recovery is $6,255.00.

VOTE #9

Mr. Thompson: Mr. Chairman, if I could direct a question to the Commissioner with reference to this. Is there merely for the water or does this include a portion of the Capital Cost Recovery?

Mr. Smith: Well now, gentlemen, the manner of dealing with this - you dealt with a paper which was tabled in Council here possibly two years ago, Mr. Chairman - at approximately that time, and the scheme of things was designated in that particular paper. Now I would be very glad to get the formulae available for you - there is no trouble in doing this - I would be very pleased to do this.

Mr. Thompson: May I ask a supplementary question. The reason that I bring this up, gentlemen, is because as you know further on in the budget there is an item for Capital Expenditure for a water system for Porter Creek . Now I understand that there are different methods of computing the basic rates for these different water systems and I understand it varies between Watson Lake, Mayo, Porter Creek and Lot 19. So if comparable figures could be produced to just show the divergence then I would be very happy because it seems to me it is about time we got to the position where one method of estimating - I shouldn't say estimating, but charging for the use of a water system and or a sewer system should be uniform throughout the Territory.

Mr. Chairman: Just a comment from the chair, this is another matter that has to be determined in the fiscal agreement ....

Mr. Smith: Well, some of the - the ones already established Mr. Chairman, they are established as of the past - they would be, assumed, carried on under the original formulae- at least that would be my assumption and those that are coming up for fu ture installation I would assume that the formulaes for them will be part and parcel of the Fiscal Agreement. Now I stand to be correct on this but this was certainly mu understanding.

Mr. Chairman: This is what they informed us in Ottawa - the old ones would have to stand as they are but there is a new policy coming out with relation to sewer and water.

Mr. Thompson: Mr. Chairman, how do you account for the fact that there are already existing differences between Watson Lake and Mayo -who sets up these computer boards or however you figure out who is paying for what or when.

Mr. Chairman: These are arbitrarily established by bureaucrats.

Mr. Boyd: Well, Mr. Chairman, I think if we want to look a little bit we would find that what we agreed to two years ago probably doesn't exist today insofar as Mayo is concerned and I think there will have been a new formulae agreed to somewhere along the line. I may be quite wrong here but this is what was my impression and I think there might have to be ...

Mr. Smith: Gentlemen, what has happened here, and I speak from general information that I have gleaned on these matters and that is that the original cost in Estimates for these various items and the actual cost of them vary so greatly - in other words ....$5.00 a unit for installation on the Estimates it... wound up costing $15.00 - it was impossible to recover. The proportion of $15.00 as what was originally proposed to cover the cost ....this is where these things have all had to be rehashed in the light of reality.

Mr. Boyd: That is quite understandable. When I look at something and know full well that there is a figure there-as has happened so often, I wonder how these people can continue to make these mistakes - they are never on the top of it when it comes to something of this nature but where it is necessary to have it where they want it they get the ball rolling and then there has to be an adjustment - it is the reverse - on occasions where it works the other way for the government so to speak, but where the people get into the thing it gets undone.

Mr. Thompson: Mr. Chairman, I gather then from the remarks that there will be nothing forthcoming on comparable comparisons in this.....the past is dead and forgotten about and we are only concerned about the future.

Mr. Smith: Mr. Chairman, all pertinent information will be tabled for council's information.

Mr. Chairman: The next item is Watson Lake Services - $7,953.00

Watson Lake Fire Protection	-	$5,730.00
Watson Lake Sewer Service-Provision for operating cost	-	$3,578.00.
Teslin Services	-	$4,413.00.
Teslin Fire Protection	-	$3,372.00.

I might say from the chair that this fire department looks like Old Mother Hubbard's cupboard.

Mr. Southam: This fire chief in Teslin - is it just a part-time job that you only pay him $50.00 a month...

Mr. Smith: The communities are catagorized according to size and there is a laid-on formulae for this Mr. Chairman.

Mr. Chairman:

Teslin Water Service	-	$600.00.
Haines Junction Services	-	$4,447.00.
Haines Junction Fire Protection	-	$3,185.00.
Haines Junction Water Services	-	$3,658.00.
Carmacks Services	-	$2,350.00.

VOTE #9	Carmacks Fire Protection	-	$2,259.00
	Carmacks Water Service		$8,558.00.
	Keno Services	-	$2,517.00.
	Keno Fire Protection	-	$2,936.00.
	Keno City Water Services	-	$ 350.00.
	Carcross Services	-	$2,785.00.
	Carcross Fire Protection	-	$1,730.00.
	Beaver Creek Services	-	$2,784.00.
	Beaver Creek Fire Protection	-	$2,751.00.
	Destruction Bay Services	-	$1,530.00.
	Upper Liard Services	-	$1,343.00.
	Old Crow Services	-	$ 612.00.

Mr. Shaw: This particular part, Mr. Chairman, Old Crow Services. They were requesting, Mr. Chairman, that they have two lights - one located on the way to the school and one by the health station - would there be provision here Mr. Chairman to put that one in.

Mr. Smith: It says here to instal an additional 175 Watt- for the installation of four - I'm assuming now that the location of these would be subject to consultation with the community, Mr. Chairman and I saw something about this not too many days ago and it appears to me there was something about the locale of the school in connection with this.

Mr. Shaw: It is wherever it is required - going to school is pretty dark.

Mr. Chairman: Gentlemen, At this time, I think in view of the time we'll stand committee in recess until two o'clock.

ABSENT - COMMISSIONER AND COUNCILLOR MACKINNON

Mr. Chairman: Alright, gentlemen, I will call Committee back to order, and the next item of business is Porter Creek Services $11,417.00; Crestview Services $2,803.00; Compliments to the member from the hinterland, Canyon Crescent Services $187.00; McCrea Subdivision $1,085.00; Ross River Services $1,680.00; I have a question in relation to this gentlemen, but possibly I will raise it when the Commissioner is back. Next is Porter Creek and Crestview Fire Protection $4,252.00; Water Services adjacent to Whitehorse to provide truck water services to Porter Creek, Crestview ... area $24,710.00; Sewer Induction Services $3,281.00; Insect Control Yukon Territory $34,700. BUDGET - VOTE 9

Mr. Thompson: Could we conceivably leave this and then come back to it afterwards.

All: Agreed

Mr. Chairman: The next is Dust Control $10,000.00; Certainly there is a big question here. I will also note that for further consideration gentlemen. Next item is Fire Protection Whitehorse Metropolitan Area $1,200.00; Fire Marshal Yukon Territory $1,000.00.

Mr. Shaw: I was just wondering Mr. Chairman, I don't wish to go back. I will try and formulate my question... On fire protection in Whitehorse doesn't the city get in there and give a hand when in the area adjacent to the city? They don't do anything.

Mr. Thompson: No.

Mr. Chairman: Porter Creek/Crestview. Are you clear? Are we clear on Fire Marshal Yukon Territory?

All: Clear

Mr. Chairman: Training Program Fire Brigade $2,000.00; Fire Investigation $1,000.00. Clear? Gentlemen, on Page 58 I will take this page by page I think for these roads. On Page 58, the roads so enumerated. These are the recreation roads. Are we clear on Page 58?

All: Clear

Mr. Chairman: And, there are roads up from Establishment 1057 to Establishment 1081, or pardon me, 1108 I suppose.

COUNCILLOR MACKINNON PRESENT

All: Clear

Mr. Chairman: And we have Item 1109 Territorial Parks $11,000.00. I have one question to ask, speaking from the Chair, however there is nobody to ask it to so I might refer it back.

Mr. Shaw: Just one question on this Page #59. This Aishihik Lake Road, Mr. Chairman. How long is that? Does it just go to the Lake, or is there some other services?

BUDGET - VOTE 9

Mr. MacKinnon: Aishihik Lake Road? I can answer that for you, 74 miles.

All: Clear

Mr. Watt: Mr. Chairman, I would just like to say I would like to compliment the Administration on putting this item in of $20,000.00 for the Territorial Park and with respect to this Motion of mine, number 48. Now, I would like to find out if this is going to the Kluane Lake Area.

Mr. Chairman: I have noted the matter, Councillor Watt, for further reference when the full Administration is here. Are we clear, gentlemen? The next is the South Access Road Whitehorse $6,000.00; Dawson Airport $4,491.00; Mayo-Airport $4,491.00; Ross River Flight Strip $310.00; Sea Plain Dock-Mayo $351.00; Carmacks Airport $310.00.

Mr. Shaw: Where is the airport, Mr. Chairman?

Mr. MacKinnon: Carmacks? I believe you would call it just west of Carmacks, Mr. Shaw. This is a very nice little airport.

Mr. Shaw: Is it along side the river?

Mr. MacKinnon: Yes.

Mr. Chairman: Clear? Old Crow Airstrip $4,542.00.

Mr. Shaw: Now this is a sandbar here.

Mr. Chairman: Wayburn Airstrip $310.00; Minto Airstrip $310; Beaver Creek Airstrip $2,000.00; Stewart Crossing Dawson Road $171,882.00; Dawson Boundary Road $129,500.00.

Mr. Boyd: Is this the road mentioned the other day? It is no longer going to be kept open on a year round basis, Mr. Shaw.

Mr. Shaw: What road is that?

Mr. Chairman: Dawson Boundary

Mr. Shaw: Oh, no, not at all. This goes into Clinton Creek.

Mr. Chairman: I would point out gentlemen this provides for maintenance of 27 miles of road from May to October only. And, 34 miles of road on a year round day to day basis.

Mr. Shaw: Well, it's about approximately 60 miles. The whole road is. And this for during the winter half of it is just let go and they maintain 34 miles.

All: Clear

Mr. Chairman: The Whitehorse Keno Highway $430,705.00.

Mr. Boyd: May I interject here. I want to use, for example, we take, we got an item here, on Page 48 Vote 9 a vote of $16,080.00 for Ross River Services of which $500.00 is salary and rental of equipment which is our own equipment is $1,100.00. You go back to the Carmacks deal and the salaries are $2,200.00 and the rental of equipment

Mr. Boyd continues...

for delivery of water is something like $4,000.00. Now the point I am wondering is, we get to four hundred and some thousand dollars on the Mayo Stewart Road. Is rental and equipment included on that figure and if this is included on the same basis why most of this is all rental. Am I off the track here or not.

Mr. Shaw: Mr. Chairman, I think the way they have based it is they take so many hours work for the BH, so much for the caterpillar tractor and so much for the grader and that's X number of dollars per hour and I think that's the way they base their things on. And I suppose the rental deal would be possibly rented from the government unless they have some private way of renting it. Perhaps Councillor MacKinnon might know that.

Mr. Chairman: Just speaking from the Chair, in the case of Ross River there is...for roughing out the streets. And that would be...what the contract...

Mr. Boyd: I can understand that. Well, the point is this Whitehorse Keno 283 miles. We know this is government equipment and the cost of $430,000.00. If half of this or more than half of this, I would say on the basis of 70% would be rental. And, on this basis we would certainly be paying for a lot of equipment and we could afford to buy virtually new machinery every year. Now where does this money this rental go. Where does this show up as being a receipt or a credit in our records.

Mr. Chairman: Page 61

Mr. Boyd: This is what I am asking. What is included there. Is it rental of equipment? Year round day to day maintenance.

Mr. Shaw: ...

Mr. Boyd: Well, why do you rent for

Mr. Shaw: Carmacks?

Mr. Boyd: For water trucks that we own at Carmacks. And why do we rent...

Mr. Shaw: This is for rental.

Mr. Boyd: We . renting a truck for this Carmacks deal? From an individual for $4,000.00 to deliver water with?

Mr. MacKinnon: Well, I think Mr. Boyd this was public tenders. I believe the Commissioner should be answering this particular question, but you use also in comparison Haines Junction. Now this was let on public tender and this was a bid and the lowest bidder did get the water delivery services classified on a rental basis or however you like. But this is an overall cost to the Territorial Government and I believe the same thing applies to Carmacks.

Mr. Chairman: Gentlemen, would you like possibly to have Mr. Clerk attempt to find out who could answer this question, or what is your pleasure?

Mr. Boyd: Well, I can see a point in a private tender using

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Mr. Boyd continues...

private trucks for paying rent if it's a private tender. Why are we paying salaries and wages? Why isn't it in here as the amount tendered, contract. Why is it all broken down to public utilities and so on for delivery of water. There is something...

Mr. MacKinnon: Where are you at Mr. Boyd?

Mr. Boyd: Well, first of all I am trying to find out how much money we are laying aside for rental of equipment. Is it so fantastic that the price of maintaining this Keno Highway is listed at $430,000.00. I know they charge for rental of their equipment in order to replace it. But I don't know how much they are charging in the case of this $430,000.00. But I can see where we are paying wages to somebody and we are renting equipment from somebody to do a job and where the wages is $2,800.00 and only thinking of one instance, and the equipment is $4,300.00 to do the job with. Now, what I am wondering is how much equipment, how much of an equipment price is being charged up in the way of rentals against this $430,000.00. In other words are we getting a true picture of what it does cost to maintain this road? I wonder very much on this point.

Mr. Chairman: Do you wish this matter deferred until somebody can be here to answer this question?

Mr. Southam: The Chief Engineer, I figure he could come down.

Mr. MacKinnon: Agreed

Mr. Watt: We better ask the Commissioner first.

Mr. Shaw: Mr. Chairman, it depends on how many questions you have in relation to this. It seems maybe the Commissioner could answer that. Is it only one question for the Engineer? Maybe the Commissioner can answer it.

Mr. Boyd: We can go on Mr. Chairman, and come back to it.

Mr. Chairman: I will note your question in respect to 1134 Whitehorse Keno Highway.

Mr. Southam: I think the same applies to the Dawson Boundary Road and the Stewart Crossing Road.

Mr. Chairman: I am just wondering where I note it here, gentlemen, that's all. The next item is the Two-Mile Hill Whitehorse $11,200.00.

Mr. Shaw: Mr. Chairman, it seems funny it costs that much money to maintain a road already paved--two miles already paved.

Mr. Chairman: I believe it states here an application of fuel coat. Page 61. The next item is Canol Road $165,950.00; Dempster Highway $95,176.00.

Mr. Shaw: I noticed Mr. Chairman, that we have 85% recoverable from Indian Affairs and Northern Development. And I didn't know that the Territory had taken over that road. I thought that road was still a Federal Road and therefore would be

Mr. Shaw continues... BUDGET - VOTE 9

100% recoverable. When did we take over the Dempster Highway. Perhaps the Legal Advisor would know whether in fact that was a Territorial Road.

Mr. Legal Advisor: No, I don't know the answer, but I will make immediate enquiry. Because I was under slightly the same impression as the Councillor. So with your leave I may go and check on that. I will bring the answer back.

Mr. Shaw: And the same, Mr. Chairman, might apply to the Canol Road

Mr. Chairman: No, the Canol Road is a Territorial Road.

Mr. Legal Advisor: I will enquire about both.

Mr. Chairman: The next is the Watson Lake Ross River Road Mile Post 70 to Mile Post 220 $225,000.00. This is correct this road has not been completed and still should be 100% recoverable.

Mr. Shaw: We have acquired ownership for three roads, Mr. Chairman, that we didn't even know we owned.

Mr. Chairman: That's the way Ottawa works.

Mr. Boyd: I recall being told in Council, I think it was at the last Session we did take over that Ross River Road as of a certain date.

Mr. Chairman: Just speaking from the Chair gentlemen, the Ross River Road from Mile 0 to Mile 70 was taken over and the Ross River Road from Mile 200 to Mile 220 was taken over. The center section is not yet complete and apparently there is no money to complete it this season and consequently still should be 100% chargeable to the Federal Government. The next item is Ross River Carmacks Road $53,000.00. I believe this falls in the same category. The next item is the McQuestin Road $16,300.00; Yukon Forest Service Lookout Tower, Roads and Trails $8,550.00; Yukon Forest Service Access Roads $10,700.00; Yukon Forest Service Fire Lookout and Forest Access Roads $18,000.00; Federal Buildings $14,100.00; Nahanni Range Road $67,950.00.

All: Clear

Mr. Chairman: Well, gentlemen that brings us to the end of this Vote. There are several items to refer back to. I wonder Mr. Clerk if you could determine as to whether the Commissioner could join us at this time. I will now declare a short recess. RECESS

RECESS

Mr. Chairman: Well, gentlemen, we have Mr. Commissioner with us, so I guess at this time we will call Committee back to order. We have several questions raised in Committee this morning Mr. Commissioner. The first item is 1031 Insect Control Yukon Territory.

Mr. Commissioner: Could you tell me what page you are on please?

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Mr. Thompson: Well, Mr. Chairman, I understood from your remarks this was to be called for tender today and I am interested to know how the proposed tenders match up with the allocated monies. There have been increasing number of demands on this services and I would be particularly interested to find out if these funds have been allocated and just what the basic breakdown will be.

Mr. Commissioner: Mr. Clerk could you see if the Engineer could get us this information as soon as possible as to whether or not the tenders are within the budgetary limitation here.

Mr. Chairman: It will be 4:00 o'clock this afternoon before they are opened.

Mr. Commissioner: Four o'clock this afternoon? Oh, well then we will get this information to you then as soon as we have it...very happy to get it for you.

Mr. MacKinnon: Mr. Chairman, no I am not clear on this at all. I note there are a lot of places left out. Is this the actual spraying program?

Mr. Commissioner: Plus $3,100.00, Mr. Chairman, in other words you have delineated here certain areas and you have allowed to provide for unforseen contingencies which in the instance of the insect control program is certainly going to be areas that are possibly populated with people at the time insects are floating around but were not readily populated with people at the time the budget was made up, Mr. Chairman.

Mr. MacKinnon: Well, Mr. Chairman, I fail to see where Pelly River has been included here. And also 1083 in Burwash. I don't think there is much change in population in any of those places at any time of year.

Mr. Commissioner: Well, I couldn't agree more with what you have said and I know very well that Ross River is in a similar situation and it would appear to me that we are apparently estimating here that this spraying is worth roughly a dollar an acre two times over. So we are apparently allowing for about 1,500 acres of spraying, you know, over and above what we have actually delineated here.

Mr. Chairman: One comment from the Chair. Ross River does appear on the tender call in addition to this.

Mr. Commissioner: Mr. Chairman, you and the people who are on the Financial Advisory Committee, did we not add names at that particular point in time we were dealing with this at the Financial Advisory Committee meeting. Didn't we discuss areas that were not delineated at that time.

Mr. Chairman: I don't think any were really added.

Mr. Commissioner: Well, Ross River must have been added because it isn't on here and it's on the tender. And that's where it came from.

Mr. Chairman: I think this was by Motion of last year.

Mr. Commissioner: Well, the only thing I suggest is that we

Mr. Commissioner continues... BUDGET - VOTE 9

get the tender here and then we are in a pretty intelligent position to review the situation and likewise we also have at least some further provision of funds here to give us an opportunity of look after further areas.

Mr. Chairman: Clear?

Mr. MacKinnon: Would you have this available now, Mr. Commissioner?

Mr. Commissioner: We could get it here pretty promptly. Mr. Clerk would you get a copy of the tender call.

Mr. Chairman: The next item gentlemen is Dust Control $10,000.00. I believe this is a reduction of some $30,000.00.

Mr. Commissioner: Well, there is further information that I will have to get from the Territorial Treasurer on this because I made a very firm statement to the Territorial Treasurer with regard to this and I will find out exactly where this matter stands. Because $10,000.00 gentlemen for Dust Control for the dust problems that we have around here in line with other items in the budget, because...and I will have to speak with the Treasurer to find out what...

Mr. Chairman: Clear? I have noted these two items, gentlemen for further consideration. The next item is respecting 1109 Territorial Parks in the amount of $20,000.00.

Mr. Shaw: Mr. Chairman, is this an appropriation for this ...(inaudible)...come up a deal...

Mr. Commissioner: No, no, this man, the survey of the Parks situation, gentlemen is being done entirely at the Federal level. Could you tell me what item you are at here, please? And this is in connection with the Motion that was passed by Council at their spring session last year and it is money that is available there for any action that Council sees fit to take after this man's report is in here. And they decide to go ahead with any of the proposals in it this is to make funds available for it.

COUNCILLOR SOUTHAM TAKES THE CHAIR.

Mr. Taylor: Mr. Chairman, this is not really the case at all. Territorial Parks were thought to be the answer to the National Parks problem whereby these would be Territorial parks on the unfettered control of the people of the Yukon Territory and these monies were to be expended in relation to upgrading the parks. We have now received word that this will not be the case and therefore I do not think this money should be expended. If the Federal Government in Sessional Paper #64 have thoroughly stated parks and these lands are their business and they will come up here and set up the regulations prohibiting this or allowing that. And that is what they are sending Mr. Baker up to us for. But they make it quite clear these will not be under the full control of the Territorial Government. If they are not under the full control of the Territorial Government they are useless to us. Let the Federal Government pay the bill. In other words, we asked for a Territorial Parks system that we could control here in the Yukon. They say no. We will set up this. Lands and forests are a Federal resourse and it is therefore the SESSIONAL PAPER #64

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Councillor Taylor continues...

view of the Federal Government that the creation of a Territorial park or park system is a Federal responsibility. And it's a clear cut case and I say don't send this money until this matter has been clearly thrashed out. We won't know that until the survey is over. So my suggestion is that we take the $20,000.00 that we have earmarked for Territorial Parks and put it to work somewhere else. If you want to effect economy...because they say here it is a Federal responsibility. I will read that again. Lands and forests are a Federal resource and it is therefore the view of the Federal Government that the creation of a Territorial park or park system is a Federal responsibility. This study will be fully financed by the Federal Government. And that's the study they are embarking on now. So let's take that $20,000.00 and put it to work else where in the budget.

Mr. MacKinnon: Mr. Chairman, Mr. Taylor has got what he has been fighting for now for six years and he doesn't want it all of a sudden. He want's to throw it back and I was always of the intention that we should have a national park of some sort and I still believe that. And, we are quite well aware that forestry comes under the Federal Government. And it will no doubt for a great many years. So this will not interfere with establishing a Territorial park and it will be come under the same classification as a provincial park. And I believe Mr. Taylor is well aware of that and I don't know what he--he is scaired to give something a try. It appears to me. And he has done everything possible to hold back a national park and now he is doing everything possible to hold back a Territorial park. I just cannot follow him.

Mr. Taylor: Well, Mr. Chairman, I am not scaired to give anything a try. I am absolutely, unalterably opposed to spend the taxpayer's money of the Yukon Territory to committments which are Federal in nature. We are not here to finance the Federal Gocernment. We are here to look after things in the Yukon and the people of the Yukon and the Territory of the Yukon. That's our--that's where our tax dollar is supposed to go. I have just stated that this is not a Territorial park. Maybe only so in name and until this is under the unfettered control of the people of the Yukon Territory through the Commissioner and it's Council then it is not a Territorial park--a rose by any other name. And, consequently, I would also remind you it's very unlikely even if they did relent and allowed us control of the Territorial parks system which they have said here they will not. Then, a study must be made this summer. I don't know if it states here just when this Mr. Baker is coming here, but it will be some time this summer and it will be fall before the legislative Council of the Yukon Territory can determine whether or not they are going to accept Territorial parks or not as outlined by the Federal Government in which case the money would not be spent during the current fiscal year unless we take this $20,000.00 available here and put it to work someplace where we need the capital.

Mr. Boyd: Mr. Chairman, I understand that this is going to be a survey made and I understood Mr. Smith to say this $20,000.00 has nothing to do with this survey and nothing would happen concerning this survey until Territorial Council have studied the recommendations and they do then have the

Mr. Boyd continues...

say whether we like it or whether we don't. But in the meantime the $20,000.00 is there and could be if we decided to go ahead with the Territorial Park it would be there for winter works. If we didn't decide to go ahead with it then nothing would happen to it and administration is capable if it is not going to be used of moving the money within the vote. So, I don't think the money is tied down too tightly anyway.

Mr. Watt: Mr. Chairman, this was a Motion made by myself and seconded by Mr. Boyd and I think it was unanimously supported in the last session and simply states the administration immediately take steps to establish a Territorial Park in the Yukon Territory. At the end of the first paragraph the Deputy Minister advised no action would be taken to amend the National Parks Act. But, further on down here it says in lieu of this national park which would prohibit the use of park land for mining, it says in this letter...draft regulations based on the multi-use...in the British... Department...recreation. This will enable the crown to create several categories of parks...used for mining and other explorations and exploitations. Now this was the only objection that I had ever heard of from the Chamber of Mines or anything else of the creation of a park. They weren't against the creation of a park. They were against the creation of a national park to prohibit the development of mining. So, I think that this is the first step forward that the Federal Government has taken. And it is something that the Territorial Council has unanimously agreed upon before and I strongly suggest and urge that the administration spend this money this year and get the park started. If Mr. Taylor does not wish it in his constituency, I have got plenty of land, beautiful mountains and lands and space in Whitehorse West. You are certainly welcome to spend that money in Whitehorse West.

Mr. Taylor: Obviously the member cannot see the forests or the trees because we have asked that the administration immediately take steps to establish a Territorial park in the Yukon and all members went along with this. But this was to be a Territorial controlled park. Not a Federal controlled Terriatoral Park, and this is why this is. It's a Federal Government park gentlemen. And it is the open door to the National Park System in the Yukon area and I hope Council in their wisdom whoever they may be will take a pretty close look at this. And I still say this money should be allocated and spent somewhere else rather than just be left and not be used. Because I can't see how it can be used until Council have agreed on a Territorial...order, Mr. Chairman, until the Territorial Council have agreed on whether or not they are going to have the Territorial parks under Federal Control.

Mr. Shaw: Mr. Chairman, my impression of this, this gentleman, Mr. Baker, is coming up here and he is going to have a study. He is going to study. He is an expert on parks so he will study the parks and will make recommendations in line with the, I believe, the Motion which was of course for a Territorial park, and I would feel he would say well, this is a good place to put a Territorial Park--in this place or that place. And that will be brought before Council, and Council will say that's fine, we agree with that. We have $20,000.00 here now let's get cracking on this park.

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Mr. Shaw continues...

I think it would be very, very short-sighted to take out $20,000.00 that is there to develop a Territorial park when we had...I can't see any harm in this. I think it would be most inadvisable to take out the $20,000.00.

Mr. Taylor: Mr. Chairman, I am just wondering if Councillor Shaw feels we should now start paying for Federal responsibility. This is exactly what he says here, if he accepts this premise. That we expend $20,000.00 that is controlled by the Federal Government and not by the Yukon.

Mr. Shaw: In answer to that question Mr. Chairman, I would put it this way. Before we have a Territorial park...

Mr. Chairman: Order, please.

Mr. Shaw: Council will have to review the situation in their wisdom or otherwise and say this is what we want as a Territorial park. It doesn't say anything about a national park. This is to establish a Territorial park, that's just what we are doing, that's just what we want, that's what I want, and I think most members at this Table, and I think most people in the Yukon Territory. And here is twenty thousand bucks to get the thing on the road. It doesn't say for a national park, it says for a Territorial park.

Mr. Taylor: Well, Mr. Chairman, that in part answers my question. Now, I would direct another question to Councillor Shaw in trying to get this point clear. And that is in view of the fact Council will very unlikely sit before next November or conclude it's deliberations before next Christmas at which time there will be considerable snow on the ground, does he not feel that this money would not be expended at that point. Does he not feel that the $20,000.00 can be used usefully somewhere else especially at a time when they are asking us to scare up a half million dollars.

Mr. Shaw: I'll attempt to answer that question Mr. Chairman...

Mr. Chairman: Order, please gentlemen.

Mr. Shaw: It may be possible to do some work in the winter on this on a kind of winter-works program in conjunction with one of those programs. I know that different jobs are done in the winter time and this might be something that can be done in that effect. It's certainly not doing any harm. And then you talk about Territorial money. Sure that's Territorial money--about 15%. The rest is Federal money anyway. So I don't know what all the excitement is about.

Mr. Taylor: Mr. Chairman, one further point to that and that is why could this not be covered in supplements. In otherwords it is money laying there doing absolutely nothing unless we have moved it or apply it somewhere else to where it can be used. It obviously is not going to be used by Christmas time, that's for sure. And, January or February as anyone knows we don't embark on a parks program. So consequently why not spend $20,000.00 over in Welfare, or in Health or in some other place where it is badly needed than leave it laying in an unused section in the budget.

Mr. Watt: Mr. Chairman, I would just like to point out,

Mr. Watt continues...

if I have to spell this, if I have to draw a picture to get it through, I will. But it states here in less than three lines, in view of the Federal Government that the creation of a Territorial park is a Federal responsibility. The creation of a Territorial Park is a Federal responsibility also. And it says this study will also be financed by the Federal Government. So the creation of the Territorial park means that a Territorial park is a Territorial park by definition. It's nothing else. It's not a national park. It's not a city park. It's a Territorial park, it's our park and we have jurisdiction over it. And the Federal government is going to pay for it. It is their responsibility. They are accepting the financial responsibility for it, so I think that we would be--I certainly wouldn't be representing my constituents by asking to have this money thrown out for a Territorial park. And if it were a national park it's a different animal altogether. You are talking about two different worlds. But this is a Territorial park and it's the first step in the right direction and I am glad to see that the Federal Government is co-operating with us on this. And, if they did I think encourage us to establish a national park--we had quite a few fights in the Council Chamber over this, and the majority by a slight margin did wish to go along with that. But the Federal Government in their wisdom and bending over backwards to co-operate with us have gone along with Council's wishes for the creation of a Territorial park. So I would like to suggest that the Councillors support this now as they did before and continue to be consistent with respect to this matter.

Mr. Taylor: Well, Mr. Chairman, while the member is reading I wonder if he would read the Council the last three lines of paragraph 3 of that report and give me his interpretation of it.

Mr. Watt: Mr. Chairman, I think that we are just nit-picking. I don't care to take a lot of this stuff out of context and fool around like that. I don't want to say any more on this. I just urge the support of Council with respect to this, and I think the whole Yukon Territory will be better off and will have the beginning of a Territorial Park system. In addition to that we will be supported in principal, the development of recreational roads and recreational areas in the Yukon Territory.

Mr. Chairman: Any further discussion, gentlemen? Are you agreed or clear on this subject?

Mr. Boyd: We are clear on this subject.

COUNCILLOR TAYLOR RESUMES THE CHAIR

Mr. Chairman: The next item gentlemen is Item 1135 Whitehorse Keno Highway 1134.

Mr. Boyd: Before I get to that question, could I clarify, I would like to ask the Commissioner on Page 33 Mr. Commissioner, we have Carmacks water service for a figure of $8,558.00. In that we have salaries of $2,800.00. Then we have rental of equipment for $4,300.00. Now what are we doing here. Are we contracting? Are we using our equipment? Or just how is this being handled?

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Mr. Commissioner: Well, I can't exactly make head or tail of this myself. But we are certainly going to find out and could you get an explanation from Engineering, Mr. Clerk and find out what is going on here, so we can properly answer Council's question. Mr. Chairman, I can explain this one alright. This is an internal situation here whereby we do as we do with all government equipment, we have a rental rate on it and we charge it against the establishment which it is used. The truck belongs to the Territorial Government and this is the provision for it's use for the Carmacks water service and this is the internal equipment rental charge that is paid for that service. This truck is part of the road equipment that is stationed at Carmacks.

Mr. Boyd: Thank you. Now, so we find that we have about in the form of rental equipment we find we have about 50% of the cost being--cost of rental equipment. So, on this basis we would soon be able to buy new equipment. Now, I go to Page 61, Vote 1134 Whitehorse Keno Highway, $430,000.00. Would it be right to assume that the same percentage of rental is charged up in that basis as what is charged up elsewhere in this budget. In other words, if this is so the actual cost is probably less than $200,000.00 whereas we are showing $430.000.00 a profit of $230,000.00 a year on that equipment, every year. How often do we replace this equipment and how much money do we have in the bank in this account?

Mr. Commissioner: Mr. Chairman, the internal handling of this rental of equipment to provide for it's proper amortization I think is something we should get Mr. Mackenzie here and he could explain this. Is that satisfactory, gentlemen? We could get him here to explain this internal...

Mr. Chairman: Does Committee agree?

All: Agreed

Mr. Chairman: The next item is Establishment...do you want to recess at this time? Gentlemen, we have another ten minutes before. The next item is 1137 Dempster Highway; 1139 Watson Lake Ross River Road; 1140 Ross River Carmacks Road and certainly that far anyway and these roads, Mr. Commissioner have been dubbed as 85% recoverable when indeed and in fact they are not turned over to the Territorial government as yet.

Mr. Commissioner: No, this is very true. For example, now, did you mention 1139, Mr. Chairman. Unless, I am wrong on this I do believe this road is now the construction is completed and it is turned over for maintenance purposes to the Territorial Government.

COUNCILLOR SOUTHAM TAKES THE CHAIR

Mr. Shaw: Mr. Chairman, could we have the Legal Advisor's answer to that qusstion. He went out to get it.

Mr. Taylor: Alright, you fellas...

Mr. Legal Advisor: Well, Mr. Chairman, the information that I have on the what I would call the Dempster Highway and the Canol Road is that both those roads were completed before the last five year agreement commenced. And under the interdepartmental recommendations and under the arrangements that

Mr. Legal Advisor Continues... BUDGET - VOTE 9

existed. Once a section of road has been completed and handed over, it then became the Territorial 85-15 responsibility. You will if you care to look back in the 1962 Estimates, there was an 85-15 split there for the Dempster Road which was followed by a supplementary. The amount shown at that time was $43,000.00, but there was a supplementary. And that was broken 85%. In the case of the Canol Road, the amount shown there was $75,000.00, and again that was broken 85%. And again last year in the main Estimates as you will see, you have the figures there voted 1966/67. You have figures there which in fact were entered there as 85-15 so that I am assured by the Treasurer there is nothing new in this. It has been going on and the only change you are likely to encounter is in the case of Ross River Road where the work has not yet been completed so it is not a hand-over situation. But, if the work on a road, and the road is completed in the five year agreement period then at the end of that period it becomes the Territorial responsibility on this 85-15. So, you have now while you have not entered into a new agreement, you have at least arrived at a new agreement period on the 1st of April. So, that is the background. There is nothing new about this split here.

Mr. Taylor: Now, Mr. Chairman, this is all information that all Councillors know about, because we dealt with this in Ottawa. And, the matter was that this road from Mile post 70 to Mile post 200 is not completed.

Mr. Commissioner: Excuse me, which one...

Mr. Taylor: On the Watson Lake-Ross River Road. I say again that Mile post 0 to Mile 70 is 85% recoverable. From Mile 200 of Mile 70 to Mile 200 should be 100% recoverable from the Federal Government, and from Mile 200 to Mile 20 again 85% recoverable. This road has not been completed and I have found out by one means and another that the Federal Government do not have the money with which to complete this road this summer. I believe there is some bridging contract still being done on it. Yukon Construction have one. I don't know whether they have started construction yet. But, this has not been turned over and we should not be forced to pay 15% of the cost of this road from Mile 70 to Mile 200. In the case of the Dempster Highway, I agree. When the five year agreements came into being we were paying 15% of the actual maintenance cost on the road. I don't feel we should be, because this road is not complete and that section is to the benefit of the Federal Government who approved resources from oil exploration and activity in the fuel control, and I think they should pay 100%. Mind you ... this Canol Road, there has never been any question about it being a Territorial shared road. The Ross River Carmacks Road, it just doesn't state what mileage, but this certainly by no means is completed. And none of these roads should turn over until that agreement is negotiated, and again the agreement that is not here yet which is apparently forthcoming. And, I think all these should be taken into account and why the government have charged us with 15% of the cost on some of these roads should be looked into. It is not our responsibility yet.

Mr. Commissioner: Can I ask this question of the Councillor? On this mile situation that you gave here a minute ago on

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Mr. Commissioner continues...

this Watson Lake-Ross River Road. Can I ask what aspect of the road is not completed, Mr. Chairman. Is it bridges that are not completed, Mr. Chairman or something of this nature.

Mr. Taylor: Mr. Chairman, bridges are not yet completed, servicing has not been completed. It's in a rough state and it's--construction has not been completed on this road. The construction has not been completed on the Ross River-Carmacks road and will not--Ross River-Carmacks has a hope because of Anvil. But there is absolutely no hope whatsoever that the Federal Government will find the money to finish the Watson-Lake-Ross River Road this year. We take on 85% of the maintenance cost from Mile 0 to Mile 70. That takes us to the grader station and permits the use of the Canada-Tungsten and Nahanni Range Road. We pay 15% of the maintenance cost on this.

Mr. Commissioner: Mile 70

Mr. Taylor: Mile 0 to Mile 70. Right. I'm at the Ross River Road. Then a portion of contract is completed from Mile 200 to Mile 220 which is roughly Ross River. This, I believe was done by ...Construction and this was completed and we assumed 15% of the maintenance of that. The remaining section is the Mile 70 to Mile 200 which the Federal Government should pay a 100% of until they complete their work on that road and bring it into a good enough standard when we take it over.

Mr. Commissioner: Can I ask, Mr. Chairman, was the contract not properly completed or was the contract not called for a completion of the road.

Mr. Taylor: As far as I know I don't think the contract was completed. I know the road is in pretty rough shape up at that end. It's passable and that's about it. And the bridge is still yet to be completed.

Mr. Commissioner: Now, to turn the page here on this Ross River-Carmacks Road. It would certainly appear to me on the basis of mileage this $53,000.00 here is for that section of the road which takes off from Ross River and heads in the general direction of Carmacks and I believe there is 40 miles or is it 49 miles of completed road there.

Mr. Taylor: Yes, Mr. Chairman, but I don't feel we should take this on unless the Engineer can assure us that particular section--it should be spelled out the section that we pay in respect of. And, I am not convinced in my own mind that that road is completed. It seems to me that there is still work being done. I know..and I don't think that we should ever ever accept from the Federal Government the responsibility of these roads unless they are brought up to some reasonable standard. And, work that was initially to be done on them is done. Then, I say we should take them over and pay 15% of the cost. But, not until. And I would say that this road should 100% the responsibility, this year at least, of the Federal Government.

Mr. Watt: I would just like to say that about four years ago we had considerable discussion on this, and when we were supposed to take this over. I think Mr. .... brought this up

Mr. Watt continues...

and created quite a discussion on this. And I think at that time we--Ottawa--laid down a policy, clarified a policy of when our responsibility started. We were using the argument then that ... Aklavik Road wasn't complete and we shouldn't have to carry any of the cost of the maintenance of this until it was finished. But Ottawa insisted that after the contracts had been completed and paid for an approved then it becomes the responsibility of ours to maintain them. But, if you get Ottawa to change their formulae on this I don't see what else we can do.

Mr. Commissioner: Well, gentlemen, this is--this is subject to the Engineering Services Agreement and I am going to get out a copy of the Engineering Services Agreement and I will advise Council whether or not in fact terms of this agreement are being lived up to. And if the terms of this agreement are being lived up to gentlemen, there is not very much we can do about it. However, if the terms of the agreement are being aggregated this is another matter entirely. ... And this is where we find out if the terms are applicable or whether the terms are being aggregated.

Mr. Chairman: Anything further, gentlemen?

Mr. Taylor: I have the Engineering Services Agreement here if you would like it.

Mr. Chairman: Would you care to see this Mr. Commissioner? I think at this time gentlemen, I will call a short recess for a spot of tea!!!!!

PRESENT: Mr. K.J. Baker - Territorial Engineer

Mr. Chairman: I will now call Committee back to order and we have Mr. Baker with us from the Engineering Department and we are discussing Rental of Equipment and I believe Mr. Boyd had a question. BUDGET: VOTE #9

Mr. Boyd: I think Mr. MacKenzie was going to answer my problem but I will gladly ask it of Mr. Baker if it is in order?

Mr. Chairman: All right Mr. Boyd, ask Mr. Baker.

Mr. Boyd: Well Mr. Baker, I am on the subject of rental of equipment and I want to use an example -Carmacks Water service. I see in there a bill of $8558.00 estimated with salaries around 2800.00 and rental of a truck $4370.00. Obviously the truck is the major part of the $8500.00, or fifty per cent of it, which means the equipment in the first place and I would hazard a guess that this truck is probably like an old horse, it's had its day on the road and can't go very far from home so the truck isn't worth very much even though the rent is considerable. And if I am right it would be safe to assume that this figure of $430,000.00 for the Keno Road maintenance would be more, or at least half in the rental of equipment. And this being the case it seems to me that the equipment is getting quite a big play, and where's the money? What kind of a build-up have we got in this account? I know what it's used for but it seems to me that it's quite a terrific build-up.

Mr. Baker: Well Mr. Chairman I don't know what is in the account. All the revenue that is derived from renting the equipment to ourselves is taken back into the general revenue fund and trom there I would assume that it's distributed to whatever establishment required money but there is no equipment requirement fund set up as far as I know.

Mr. Boyd: That's just my point. We're not getting a true picture of what this Keno Road, say, is costing. We show a figure - $434,000.00, but for the sake of convenience we send the rental up to what seems to me a pretty high figure. It's a good way of getting a lot of money in the budget all right, it's a good way of getting a lot of money from Ottawa, but how realistic are the figures when it's boiled down. When I see $4000 to haul water at Carmacks, which is half of the cost, including labour, it makes me wonder how much ofthis for instance $85,000 is recoverable, how much are we collecting from the people? It seems to me that a small number of people being served with the truck is going to break them cost-wise.

Mr. Chairman: Gentlemen I see Mr. Commissioner and Mr. MacKenzie in the gallery.

ENTER MR. COMMISSIONER AND MR. MACKENZIE

BUDGET: VOTE #9

Mr. Commissioner: Now Mr. Chairman in order to assist in getting a proper answer to the question the Councillor has raised I have asked Mr. MacKenzie to come along with Mr. Baker and I'm sure between the two of them there should be no difficulty in getting the answer to this particular problem.

Mr. Baker: The only thing I can say Mr. Chairman is that the equipment rental rate is computed to cover bare operation costs which is the cost of gas and oils, cost of repairs and a small amount in there that is allowed for the depreciation of the equipment. This is the rental rate that we charge ourselves., And we have to do this to come up with realistic maintenance cost figures . If we didn't do this we wouldn't have a true picture of what our costs are running. In other words we operate much as a contractor would.

Mr. Shaw: I believe for example you charge $16.00 for a grader?

Mr. Baker: It's not $16, it's $11.

Mr. Shaw: Well I had a job done for me out in the bush and they charged me $16.

Mr. Baker: Well we have two rates that we charge; we have the rate we charge ourselves and since we're not in competition with private contractors we have a third party rate which is naturally higher than the one we charge ourselves because we don't want to be accused by the contractors that we are in competition with them.

Mr. Shaw: Well the rate then would be the actual cost not of replacing but the actual cost of maintenance of the equipment?

Mr. Baker: This is right Mr. Chairman, plus a depreciation amount.

Mr. Chairman: Does that answer your question Mr. Boyd.

Mr. Boyd: Plus a depreciation amount? Now I think it's safe to say that trucks that have been depreciated possibly to their full amount of their original value, your vehicle we will say, if not say fifty per cent of the original value. Are you charging up against this Carmacks water delivery, we'll say it's one of these type trucks, the price of that truck on the basis that it was originally purchase at, or is it based on its depreciation value and its rental value as such?

Mr. Baker: Well Mr. Chairman we arrived at the depreciation figure by taking the capital cost of the piece of equipment and dividing it by the life of the equipment. In other words if a piece of equipment cost $10,000 and had an expected life of five years then the depreciation cost per year would be two thousand dollars.

Mr. Boyd: And by the same token in two and a half years this truck would have been written off as half paid for itself?

Mr. Baker: Correct.

Mr. Boyd: By the same token the rental charged for it is half of what it was?

Mr. Baker: No, once the rental rate is established at the beginning of the life of the equipment this is carried on until the equipment is disposed of.

Mr. Commissioner: I think Mr. Chairman to supplement what the Engineer is saying here this is a total experience rate he is using to establish the rental rate on the particular type of equipment. It isn't on that one specific caterpillar tractor that he is using a rental rate on, this is an experience rating that he has found over the years it has cost him to operate a caterpillar tractor. This I think is the important point that Councillor Boyd is interested in here.

Mr. Shaw: Then in a period of time we would have a surplus reserve to replace that particular equipment, is that the idea of that?

Mr. MacKenzie: That is correct Mr. Chairman. We accumulate every year a depreciation reserve and we use that reserve to replace our equipment.

Mr. Shaw: And then the following year that amount left over could conceivably be put into capital cost for the following year, is that correct?

Mr. MacKenzie: I don't quite understand you. The amount left over?

Mr. Shaw: Well say you vote $10,000 for this year and out of that say you have depreciated $5000. It won't be depreciated till the end of the year so the following year you have $5000 left over.

Mr. MacKenzie: I see what you mean. We don't build up a reserve and earmark it for each particular machine and then draw upon it only when we do away with that machine and buy a new one. We use the accumulated depreciation reserve each year, fully. We might accumulate depreciation on a particular machine and that money is used to buy another machine possibly.

Mr. Boyd: This is what I am trying to get at. I have been wondering where this money is that you have collected on depreciation. I know when you want a million dollars worth of equipment you put a million dollars worth in the budget but you have already taken a million dollars out of these figures here that I don't find anywhere. In these figures you've got the money and made use of it. Where did you use it? This money is lost in circulation.

Mr. MacKenzie: Well it's quite a tricky subject to explain and to understand unless you are working with it, but there's the situation. Every year we accumulate a balance of money representing depreciation reserves and we use that to buy equipment with every year.

BUDGET:
VOTE #9

Mr. Shaw: I think Mr. Boyd's getting it Mr. Chairman. You get it into operation and you get it into capital both. You have saved it out of the operation and then you do have the capital in another section.

Mr. Commissioner: Yes Mr. Chairman but Council is forgetting, it doesn't matter where we accumulate money we have to have a vote of the Council in order to spend the money.

Mr. MacKenzie: I think the answer Mr. Chairman is, you see an expenditure of a million dollars to buy equipment which is being replaced, but you don't see in the revenue side the accumulated depreciation which you have estimated, which upsets the expenditure. As you know Ottawa provide us with money to buy this equipment, they loan money if its a new machine, but we borrow a sum of money less than the accumulated depreciation reserve which we add to what we borrow to buy machines with. So as I said before we build yp this reserve and we use it to buy machines with.

Mr. Boyd: So you show a figure in the budget of a million dollars to buy new equipment that you really only have to borrow to use a figure half of that because you have already built the other up. But as you say, it's complicated.

Mr. MacKenzie: Yes it is complicated and I would doubt whether frankly all members of Council understand it fully now.

Mr. Shaw: I understand Mr. Chairman where you do have X number of dollars in the operation and you do have some of it in the capital and it's the same thing. It has to be.

Mr. Watt: If that's right now according to our budget if we are borrowing an eighteen million dollar budget , to use your figures, a half of that is actually not money so actually it's just a seventeen million dollar budget in dollars and cents but the Commissioner and Ottawa and everybody else that wants to make the point of how much money we're using they use the figure eighteen million.

Mr. MacKenzie: Your eighteen million dollars Mr. Chairman is a gross figure not a net figure. We are not borrowing eighteen million dollars, we are borrowing less what we recover and part of what we recover is accumulated depreciation.

Mr. Boyd: This gives us a pretty bad picture in the eyes of everybody. I thought we were spending this money but I can see, to use this one vote here, the amount of rental for equipment is not spent at all in fact it's a revolving dollar.

Mr. MacKenzie: Buy why? We have an expenditure right in there of capital, say $30,000 for a grader, but in the capital recovery side you have say $5000 for depreciation, accumulated depreciation. So you are going to borrow from Ottawa the net amount, the difference, but you are going to have to spend the $30,000, the full amount. So you get money from two sources to meet your bill for $30,000. I see that this is getting clearer all the time.

Mr. Boyd: Now we are talking about depreciation. I was not talking about depreciation at all, I was talking about the rental. Depreciation is automatic, you are allowed to read this in but when they rent something that's a profit and it's shown in their books as a business transaction. BUDGET: VOTE #9

Mr. MacKenzie: No, the depreciation is part of the section of your equipment rental rates. Now the other parts of that rental rate are operation and maintenance and repair and maintenance and overhaul and those two factors - the income, the revenue - offset the expenditure you have had on running these machines and maintaining them.

Mr. Taylor: While Mr. MacKenzie is with us, and I know he is wanting to get back to matters pertaining to the agreement, but just before we conclude with Mr. MacKenzie I would like to take up the matter of the Dempster Highway, the Watson Lake-Ross River Road and the Ross River-Carmacks road. Prior to recess we were dealing with this, and I will leave the Dempster Highway for the moment, in the case of the Watson Lake-Ross River road it appears we are being charged 15% of the mileage from Milepost 70 to Milepost 200 actually which it was my understanding that we had not taken over up to this year, this section of the road - the rest was our responsibility, - in view of the fact that it has not been completed. There's still some bridging to be done and some surface work and I would certainly to know either from Mr. Baker or Mr. MacKenzie as to when we did take on the responsibility for this if we have indeed already done so and how did this come about?

Mr. Baker: Mr. Chairman I can answer that. Last Fall on behalf of the Department of Indian Affairs and Northern Development I took over this section of the road from Milepost 70 to 200. I took this road over on their behalf.

Mr. Taylor: Well the thing is Mr. Chairman, is this not still a responsibility of the Federal Government and should we accept the taking over of these projects until such time as they are completed and worthy of our taking them over. Is this fair?

Mr. Baker: This road of course was taken over less the two bridges which were under construction at that time. As far as I am aware there is no outstanding work other than bridge construction.

Mr. Taylor: Well there is certainly some surfacing to be done up there. It was left in a very rough state and it was my information that the Federal Government had no money with which to finish it this year.

Mr. Baker: All I can say is that the Engineering Department at least is prepared to take this road over and maintain it as it now exists.

Mr. Taylor: My next question is on the Ross River-Carmacks Road. Am I to understand this has been completed and we are to take this over too?

Mr. Baker: Only 50 miles of it.

BUDGET: VOTE #9

Mr. Taylor: $53,000. And this has been completed, less bridging?

Mr. Baker: Yes Sir.

Mr. Taylor: It's like buying a car that has no fenders. I feel that before we take over responsibilities - virtually what's happened here as far as I can see is that the Federal Government is coming along and saying OK fellers whether you like it or not you just took over a road. Because certainly the Council, who talk about a five-year agreement, were told in Ottawa that no roads would be transferred to the Yukon Territorial Government that were not completed by the time we got into a new agreement and I think there should be some consideration given to the Yukon whether they are willing to take on these roads before we suddenly find them in the budget. And I don't think we should pay 15% of the cost of maintaining these roads until they give us a decent completed road project. Another thing Mr. Chairman in relation to the Dempster Highway. I know we've been paying 15% of the cost of maintenance of this road for some time now, but I cannot understand why because the road was serving a resource area which is bearing revenue back to the Federal Government and in relation to oil and petroleum in any event and I don't see why the people of the Yukon Territory should have to come up with 15% of $95,000 a year to maintain this thing because otherwise to the people of the Territory it's nothing more than a recreation road. Mr. Chairman, how are these things transferred? How does this come about when the Federal Government want to transfer to Engineering the responsibility for a road, what legal proceedings take place?

Mr. MacKenzie: The arrangement is set out there in that blue book if you would care to give it to me and I will show you. Now this is reading from the Interdepartmental Committee Report in the Fiscal Agreement which ended on the 31st March 1967: "Except for new local roads or roads classified as local roads the Territorial Government is not required to start making its financial contribution to maintenance until the effective starting date of the next Federal-Territorial Financial agreement following the official completion of the road or a section thereof. That's Page 24. Now that is the policy.

Mr. Taylor: Yes Mr. Chairman, the point is that that is a non-existent policy because that is stated, that this went out of date of the 31st March and there is no agreement which follows it. It also states "until the effective starting date of the next...agreement". Well there is no agreement as yet.

Mr. MacKenzie: It was arranged as I recollect in Ottawa Mr. Chairman that that arrangement would continue in the new agreement.

Mr. Taylor: There is no new agreement knowing to this Council because here we are going into May...

Mr. MacKenzie: But you know perfectly well there is going to be a new agreement and that agreement will contain that clause.

Mr. Taylor: I still don't see where it says "except for new local roads or roads classified as local roads the Territorial Government is not required to start making its financial contribution to maintenance."

Mr. MacKenzie: In other words it will not make its contributions for maintenance of a resource road.

Mr. Taylor: Yes but as I say until the other agreement becomes effective.

Mr. MacKenzie: Until the current agreement dies and the new agreement takes effect. So any completed section of the Dempster Highway on March 31st 1967 will come under this eightyfive fifteen arrangement on the 1st April.

Mr. Taylor: If the Council accepts it?

Mr. MacKenzie: Of course.

Mr. Taylor: This is just another point Mr. Chairman. This is why I have been saying it's pretty hard to discuss the budget unless you know what the agreement is because it all relates back to a non-existent agreement.

Mr. MacKenzie: Well basically the new agreement is similar to the last one and any changes in it you will know of from your discussions in Ottawa, and they are very few.

Mr. Taylor: This you know, this we don't know because we haven't been permitted the honour of seeing this thing yet.

Mr. MacKenzie: You are speaking now of the new report no doubt. But you know from your recollection of the Ottawa talks that there are very few real changes.

Mr. Boyd: I would like to say for the benefit of these two gentlemen I'm sorry that I had to bother them to get answers. The only way I can be satisfied is to get Mr. MacKenzie to change his bookkeeping system so that the ordinary man can understand it and I suppose that won't happen. But I appreciate you being here anyway.

Mr. MacKenzie: May I suggest Mr. Chairman that possibly this equipment rental arrangement might be better understood if I set it down in writing and gave you an example or two and perhaps you can follow it more easily than from a verbal explanation here. I would be glad to provide such a paper.

Mr. Boyd: I am not that much concerned except that I was looking at truck rental or any kind of rental that adds up to be half of the cost of whatever we're doing or more and if I was paying a water bill and found that I had a ten-year old truck that couldn't go nowhere and they were charging a certain price for it and it was broke down on a Monday morning when my wife was going to do the washing well the amount of money I was paying to rent that truck I would be a little bit upset if I was one of those people paying the bill. This is the first thought that struck me. And the next one was when I received terrific

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figures and really they're not the true figures when it is added up in that sense; they're not the the true cost figure, we've got a cushion in there all the time.

Mr. MacKenzie: Yes but you have to build up your cushion so that when your truck falls to pieces you've got that cushion to buy a new one with.

Mr. Chairman: Well gentlemen we have one more thing while we have these gentlemen with us, or at least
Mr. Baker: Establishment 1032 - Dust Control.

MR. TAYLOR RESUMES THE CHAIR

Mr. Commissioner: Mr. Chairman, this is something that we will have to come back to Council on. This is a subject that Mr. MacKenzie and I had discussions on, the reduction of money from $25,000 to $10,000 and I think we had some communication with the Director so we have got to report back to Council on this as to what the end result of this was.

Mr. MacKenzie: Yes, I should have to refresh my memory on what happened but I know it was cut back seriously.

Mr. Shaw: Under dust control Mr. Chairman, could I ask a question of the Engineer. How much is it per mile per year for the dust control, approximately. Perhaps I will maybe state the reason why I am asking this. This is a very short distance like possibly going to Carmacks or Watson Lake, that if we are continually putting in each year $500 or $1000 for half a mile or something maybe if we started on the program of paving that small section each year, in a few years we would catch up to the total cost of the program and have a good piece of road. I was wondering if that was possible.

Mr. Baker: Mr. Chairman, the only figure I have in hand is that it costs us about 15¢ per square yard for this particular dust control program per year.

Mr. Shaw: How much is it per square yard for putting on a hard surface, approximately?

Mr. Baker: This would be of the order of $5.00 per square yard I believe.

Mr. Commissioner: Excuse me Mr. Chairman. A square yard - this is without preparation or just the asphalt itself?

Mr. Baker: Just the asphalt material itself because preparation would be almost equal to that, in other words we are talking about $10.00 a square yard for asphalting.

MR. SOUTHAM TAKES THE CHAIR

Mr. Taylor: In relation to this dust control, as I recall this was chopped out of the budget not by ourselves or by our Administration but apparently by the interdepartmental committee in Ottawa and I think the sum was somewhere in the

vicinity of $32,000.00 that was initially asked for and they have arbitrarily said well who needs dust control in their streets and of course they are down in the land of pavement so they thought they' d save here and cut it out. I think that all Councillors agreed when they were down in Ottawa that this was by no means good enough and we wanted to continue and still want to continue the program of dust control on an enlarged basis so that we can cover all those places down the highway and give the people who have businesses there a little return for their money by putting oil down. But I would certainly like to know as soon as possible as to what has been done in relation to this and whether we've got to re-instate it or not.

BUDGET: VOTE #9

Mr. Shaw: Just one question Mr. Chairman: would the Engineer be able to state whether it is possible to use cement or would the cost be prohibitive, or impractical on acoount of heaving.

Mr. Baker: I take it Mr. Chairman that Councillor Shaw means the concrete paving as such. I believe I would be correct in saying that this would be much more expensive than asphalt because of the high cost of the cement.

Mr. Watt: Have you looked at the possibility of using soil cement ? They are using a lot of this in Edmonton. There's about 400 miles of it there.

Mr. Baker: We haven't done anything in this regard Mr. Ch irman but when the Canadian Army were in here around 1956 or '57 they undertook some trials using soil cement just at the other end of the Whitehorse Airport and these were not successful at that time

Mr. Watt: Mr. Chairman I would like to submit that I think this has possibilities that should really be looked into and they have had very little success at anything with the Whitehorse Airport, even the paving that they put in last year at the entrance . You go two feet into the sand and you are right into this clay that is impossible to deal with. I think this warrants further investigation. I have looked intc it myself this Winter and and I think some of this will be put into Whitehorse this coming summer but not necessarily by the Government.

Mr. Taylor: I have one final question of Mr. Baker, I note that a quick look at it shows a budget of about three million and sixty some odd thousand dollars there and I notice on operation and maintenance which we are now dealing with 1.3 million.. If during the season say on the capital side we appropriate three million dollars for the Engineering and Municipal Affairs Department, do the Federal Government have the right, even after we have appropriated this money, to make you cut back and say OK where you have four hundred thousand for a project we will now only allow you to spend two hundred thousand dollars. Do they have that power over the Council?

Mr. Baker: Yes they do Mr. Chairman if they are providing one hundred per cent of the funds.

BUDGET: VOTE #9

Mr. Taylor: Take for instance the Whitehorse-Keno highway, do they provide the $450,00 or do we?

Mr. Baker: They provide one hundred per cent of the construction funds so therefore if they want to dispense with the construction program they can take the money away.

Mr. Taylor: How about the building contingency fund, $350,000, is this theirs too?

Mr. MacKenzie: No, that is for us to allocate as we think fit. There is unlikely to be any reduction in that unless you have a country-wide emergency when everything is cut back everywhere.

Mr. Commissioner: Mr. Chairman I think that Council want explained to them the difference between the supplying of these two different kinds of capital funds. Now capital funds for building projects, and I mean physical buildings that are used for Territorial purposes such as schools and the liquor stores, these capital funds are provided to us under the terms and conditions of the fiscal agreement that we have with the Federal Department. Now funds that are made available for the capital construction of roads come under a separate means to us altogether.

Mr. MacKenzie: That is so. In spending this $450,000 on the Whitehorse-Keno road we are acting as an agent for the Federal Government. That is all. Under the Engineering Services Agreement. And Ottawa foot the bill one hundred per cent and pay us a fee for our services.

Mr. Taylor: We have approved already for this department somewhere in the vicinity of $800,000 by a prior bill in order to get projects underway. Is there anything to indicate that these funds will not be fully expended or anything that could indicate that the Federal Government, in view of the fact that they are cutting down their own programs, that they are asking us to cut back on these projects that we have already approved - the Whitehorse-Keno highway, the Stewart Crossing road and so forth?

Mr. Commissioner: Which aspect of it Mr. Chairman? The operation and maintenance aspect, or the capital construction aspect of it?

Mr. Taylor: Capital.

Mr. Commissioner: Where we are acting an an agent of the Federal Government as Mr. MacKenzie said here a moment ago we can only spend the monies if they are made available to us.

Mr. Taylor: They're made available in the budget otherwise they've got to be available or we couln't approve them.

Mr. Commissioner: Not necessarily

Mr. Taylor: Look at that - eighteen million bucks we're spending in your Territory and then you say well really this is to buffalo anybody into thinking we're spending eighteen million bucks when we're not really this coming year. In other words this is not necessarily our budgetary requirement.

Mr. Commissioner: It certainly is our budgetary requirement. It is quite easy to pick out the items there, Mr. MacKenzie can quite easily do it, and Mr. Baker is well aware of them too. Those that where we are simply acting as a construction agent and road construction particularly would be - in fact I suppose that's the only one isn't it Mr. MacKenzie where we act as an agent of the Federal Government for construction purposes?

BUDGET: VOTE #9

Mr. MacKenzie: No, Forestry. We work on the Federal forestry building too. A hundred per cent recoverable.

Mr. Taylor: Mr. Chairman I will put it in a different way. Has there been any indication received by the Territorial Government in relation to those projects - the Whitehorse Keno highway, the Stewart Crossing, Canol, Dempster highway and I believe there was another - Pre-engineering for roads - is there any indication given to the Territorial Government that we are in fact to cut back on these figures?

Mr. MacKenzie: Yes, that is the case.

Mr. Taylor: To what extent?

Mr. MacKenzie: To a great extent. Specifically my understanding is that we shall have something less than $300,000 available to spend this year on those one hundred per cent projects of which you speak which were included in Bill #8 I think.

Mr. Taylor: Well this is on $800,000 or probably a million dollars of roads that they have cut us down to $300,000.

Mr. MacKenzie: No, the figure in total I believe was $820,000. As I say we shall have available, provided by Ottawa, this is none of our doing, something less than $300,000 and the reason for this is that the money is needed urgently elsewhere in dealing with roadways.

Mr. Taylor: Well this is fine, I got my answer because I was very suspicious that the Federal Government would do this to us. This is a very serious cut-back, almost a third.

Mr. MacKenzie: Well it's most unexpected and unusually heavy. It often happens that the Federal figures are changed from what is originally given. In fact they change sometimes more than once and we never really know how much we are going to get until the last minute. We presented a bill for $820,000 in the firm believe that we would get it. No it transpires that we are not going to get it unless a further change takes place the other way.

Mr. Thompson: Mr. Chairman, doesn't this conversely, refer back to the fact that where we have been asked to raise taxes to cover these additional expenses? We're in a very fine position now, we don't have to.

BUDGET: VOTE #9

Mr. MacKenzie: No, taxation has no bearing on this at all because we have in the budget a figure of $820,00 in total for seven or eight projects and all of the money was going to come from Ottawa so that we were not affected in the slightest financially. We didn't have to raise a penny of it.

Mr. Commissioner: These are one hundred per cent recoverable items Mr. Chairman.

Mr. Shaw: Mr. Chairman, doesn't this affect the total budget? They say we are expecting two million dollars more than last year and you get all these cut-backs rather than raises. They say we are giving you six million dollars and they say you should raise X per cent, so we had all this haggle in Ottawa on how this can be arrived at and now we find out our budget will not require this additional six million dollars.

Mr. MacKenzie: No you are dealing with chalk and cheese Mr. Chairman. You are dealing with gross expenditure figures and net expenditure figures. You can't compare the two.

Mr. Shaw: I think we are dealing with mulligan; I can't figure it out.

Mr. Taylor: As I say Mr. Chairman, the Government puts out all these fancy pamphlets about all the wonderful things they're doing for the north and how the north is booming. Everything from tote trails to permanent access. I see another one here: "What northern road programs mean to you." But really in truth we are getting little or nothing. We've got two-thirds of our road program cut right back and yet the people don't know that. The only way to find out is by a Councillor really digging. And Federally I'm told that our Upper Canol Road that we've been fighting to get open for years - and I think we did get ten miles of it last year - it was to go to Sheldon this year, - apparently the Federal Government say no, we haven't got a nickel and don't hope for any money because we're broke. Apparently all these things are shut down and I didn't realize that it could affect our budget but it should be noted and I hope the people of the Yukon come to find out how the Federal Government work this deal.

Mr. MacKenzie: They don't do this sort of thing every year fortunately. This is an exceptional condition in which the Federal Government find themselves and it is necessary for them to effect this cut.

Mr. Watt: With respect to our agreement, we have agreed as our part of it not to levy income tax as well as taxing our natural resources - oil and gas or leases. Now isn't there a certain standard of expenditure that the Federal Government is obligated to maintain with respect to the development of the north in lieu of us not taxing these things? It's all part of the agreement isn't it? Is the Federal Government arbitrarily able to withdraw these expenditures? We made a commitment on our side, are they able to withdraw a commitment on their side?

Mr. MacKenzie: But I hardly think Mr. Chairman they could be accused of withdrawing their support. They are paying us a substanitally increased deficit grant, capital monies are going to be substantially greater. They're not withdrawing their support, they're just trying to keep the lid on the rising of costs, that's all they've been trying to do. BUDGET: VOTE #9

Mr. Shaw: Well Mr. Chairman, isn't there a hundred million dollar road program I heard something about some years ago. This is it is it?

Mr. MacKenzie: No. This Whitehorse-Keno is certainly not part of it. This hundred million dollar project that you speak of is new roads as I remember.

Mr. Taylor: Well Mr. Chairman, it appears that they haven't got enough money to complete the old roads and upgrade them, let alone build new ones so I don't know where this hundred million dollars comes from, but for little John Q. Public who doesn't know any better, he thinks this is a real wonderful deal he's getting from the Government and in fact he's getting no deal at all. And I wanted to direct a question to Mr. Baker in relation to the taking over of Mile 70 to Mile 200 of the Ross River-Watson Lake Road, that is the fact that it's too narrow. Much of that road I believe was built to a standard of a 16 foot top and it is my understanding that somebody in Ottawa had given some thought to coming back and widening it and I notice right in the Federal Government's little deal here it says that 18 foot in width should be considered the absolute minimum because any lesser width would be dangerous when heavy trucks meet - they recognize this but they turn over to us a road that is a 16 foot top and this is why I think gentlemen in the future when we talk about taking over these roads that we should have a greater part in the taking over of these things. I don't think we should be required to take them over until such time as they are completed and up to standard. It's just like taking over the Alaska Highway. You don't want to take over that Highway unless it's right up to snap.

Mr. Chairman: Anything further gentlemen? Can Mr. Baker and Mr. MacKenzie be excused?

Committee:Agreed

EXIT MR. BAKER AND MR. MACKENZIE

MR. TAYLOR RESUMES CHAIR.

Mr. Thompson: I would like to ask the Commissioner one question - I realize this isn't a question period - but on a matter such as this why is this information not forthcoming from the Administration? I think this is something that we're all vitally interested in and concerned about and it seems inconceivable that a Councillor has to go to the lengths that he went this afternoon to get that information. Is this a policy of the Administration or was it just an oversight, or what?

BUDGET: VOTE #9

Mr. Commissioner: Well Mr. Chairman, I would suggest that I have answered the question from Councillor Taylor at least three times and I keep on telling you that these funds are not available, there's nothing new about this and furthermore I have intimated that the urgency that I have tried to impress upon the Minister to get these funds re-instated and I think the last statement I had for you was that there was every effort being made to get a considerable amount of these funds re-instated by supplementary estimates in June, now I can't be any more factual and I think Mr. Chairman you had that statement from me I believe about a week or ten days ago.

Mr. Chairman: Speaking from the Chair I didn't realize that it went into our own budget. I knew it was a trouble in the Federal Budget but I didn't realize to what extent it went into our own and this I found out this afternoon from Mr. MacKenzie.

Mr. Commissisner: I don't want you to feel that I am keeping information from you that I have knowledge of because I have no need to, I am perfectly straightforward about the fact that this money was not available. The question wasasked several weeks ago if I remember correctly.

Mr. Boyd: I would just like to say for the record that I've known for what I think is a month at least that this money was deleted from our budget. It's certainly no secret. I knew there was $600,000 cut back roughly speaking, I've known all the time. I thought it was common knowledge.

Mr. Commissioner: Well Mr. Chairman I certainly never quoted a figure because to tell you the truth I didn't know the exact dollar figure myself.

Mr. Chairman: The exact figure is $820,000, Bill #8 which we have already approved. Well gentlemen have you anything further on Engineering Municipal Affairs, Vote 9. All matters are clear with the exception of Insect Control and Dust Control.

Mr. Commissioner: Mr. Chairman the insect control list includes Beaver Creek, Pelly Crossing, Destruction Bay, Ross River which totals 15,842 acres of area that has been called on this tender call.

Mr. Chairman: What communities does it include Mr. Commissioner?

Mr. Commissioner: I'll read them off: Whitehorse, Porter Creek, Watson Lake, Watson Lake Airport, Teslin, Carmacks, Carcross, Mayo, Keno, Elsa, Calumet, Dawson City, Haines Junction, Beaver Creek, Pelly Crossing, Destruction Bay, Ross River.

Mr. MacKinnon: Mr. Chairman, I would like to note that Burwash, in view of the new airport construction, and being one of the major points in my district, should be taken into consideration.

Mr. Chairman: Well gentlemen, are we clear on that item? We only have remaining now Item 1032 - Dust Control and we have establishment 913 and 913A - Maintenance and Camp Ground Operation and we have establishment 942 - Whitehorse Maintenance Grant. I believe that has been cleared. Establishments 913 and 913A had reference I believe to the recovering factor from the Federal Government. Mr. Commissioner I believe they have thrown in a sum of $35,000 making it fully chargeable to the Yukon Territorial Government. BUDGET: VOTE #9

Mr. Commisisoner: This is the question I am asking here right now. I will have to get you the information on this Mr. Chairman as I simply haven't got it myself.

Mr. Chairman: This is totally unreasonable in my opinion. I have noted those for deferral gentlemen. Next is Vote #11 - Yukon Hospital Insurance Service VOTE #11

Mr. Commissioner: Might I suggest Mr. Chairman that if Council are going to have any questions on YHIS it is absolutely necessary that Mr. MacKenzie be present as this is a technical bookkeeping situation here.

Mr. Chairman: Well gentlemen I think we will have to determine this first before I can bring Mr. MacKenzie here. Yukon Hospital Insurance Sercice; $695,995.00.

Mr. Shaw: I note Mr. Chairman this is one of the few departments that has gone down. Would that be for not as much usage?

Mr. Commissioner: That's right. Hospital Insurance service is on a decreasing usage basis.

Committee: Clear.

Mr. Chairman: Are we clear on Vote 12 gentlemen? VOTE #12

Committee: Clear.

Mr. Commissioner: Mr. Chairman, would it be convenient with Council if I was to be excused at this time?

Committee: Agreed.

Mr. Commissioner: Before I go Mr. Chairman could I ask if it would be Council's intention to proceed with budgetary items tomorrow and what items might it be. Would they be good enough to let me know tonight so that I can see the appropriate people are available and we don't hold up Council.

Mr. Chairman: We have Travel and Publicity next and you can take it in order in Bill #9. We could refer back to the Health Department but I don't believe Dr. Springer is here.

Mr. Commissioner: So I would assume that you would be carrying on with Travel and Publicity.

Mr. Chairman: I would assume, yes.

BUDGET: VOTE #12

Mr. Shaw: Tomorrow morning I believe we have on the agenda something to do with the Liquor Ordinance. I would suggest that the Superintendent of Travel and Publicity be available as soon as we get through with this other item.

Mr. Commissioner: I will tell these people that we need them so that they are readily available and we don't hold Council up.

Mr. Chairman: It is up to Committee if they require witnesses; it's hard to say Mr. Commissioner until we get into session.

Mr. Commissioner: I appreciate that Mr. Chairman but I would appreciate it very much if I could have a rough idea and see they are available if we need them.

EXIT MR. COMMISSIONER

Mr. Chairman: The next item is Travel and Publicity, Vote #12. The first item is Salaries and Wages: $55,119.00.

Mr. Thompson: Did we approve Vote 11?

Mr. Chairman: That's as I have it, I heard no dissention. Anybody not approve of Vote #11? Are we clear on Vote #11?

Committee: Clear.

Mr. Chairman: All right. Under Vote 12 we have Salaries and Wages $55,119.00. I think gentlemen we will take this by pages. We will take page 2, if anyone has anything to raise in relation to that page it might save time.

Mr. MacKinnon: Well Mr. Chairman I note a decrease in advertising and I was led to believe that we had an increase in advertising. This was partly the reason for the increase in the expenditure at Expo and I see here we have a decrease.

Mr. Chairman: I think there was $2 ,000 under advertising last year which was for the Klondike Defence Force which was put into the budget under that heading. That primary is no longer there but we have actually effected a $12,000 increase.

Mr. Watt: I have one question - Establishment 79: Centennial Co-ordinator - wasn't that a Federal appointment?

Mr. Chairman: Well gentlemen first could we clear Page 2. If I get your concurrence on this we can proceed. Any further questions on Page.2?

Committee: Clear.

Mr. Chairman: Page 3.

Mr. Watt: Mr. Chairman, on Page 2, to provide for proposed Dawson City Historic Sites Development Program. Now I thought this was going to be a Federal Program? Wasn't that part of a Federal program and it was the idea to get things like the S.S. "Keno" and the "Klondike" and the dance hall. Isn't that part of the National Historic Sites program rather than Territorial

Mr. Chairman: This is a strictly Territorial affair. BUDGET: VOTE #12

Mr. Shaw: This has nothing to do with the National Historic Sites, I think it has something to do with this Historic Sites Program for the Yukon Territory.

Mr. Watt: Mr. Chairman, it looks like we're setting up a new department here. I was under the assumption that this was an advisory committee for the National Historic Sites, a territorial committee to advise the National Board so that the Federal Government could preserve these as National historic sites.

Mr. Chairman: I believe there is a sessional paper and much discussion on it at the last session gentlemen and possibly reference to the Votes & Proceedings of the last session would give you all the answers. Anything further gentlemen on Page 2?

Mr. Boyd: Well I am like Mr. Watt. Historic Sites, if it is a Territorial Historic site department well that's something that I wasn't quite aware of either. I thought that the Historic Sites department was a Federal set-up in the first place.

Mr. MacKinnon: Mr. Chairman I believe we made these appointments in our districts to co-operate with this historical sites development program and as we were offering the appointees room and board and travel expenses I believe possibly that this is our travel expense and it would be of that nature to cover this get-together. Am I wrong in this assumption?

Mr. Watt: If this is what I thought it covered I wouldn't have brought it up and I would certainly vote for expenditure for such a thing so that we could have the things of historical value assessed and possibly recommended that they be preserved by the Federal Government and I think Mr. Shaw has made motions to this effect at some time or another in the past and I thought that's what this was. If that's all it is, fine. But it seems fairly high particularly as in the last letter we got from Mr. Kipson said that the first meeting is not going to be till Fall . But this appears to be a brand new program.

Mr. Southam: Well Mr. Chairman it seems to me that Sessional Paper #27 will give you your answers.

Mr. Chairman: Gentlemen, I would draw your attention to the time.

Mr. Boyd: Mr. Chairman I would move that the Speaker do now resume the Chair and hear the report of the Chairman of Committee. MOTION: SPEAKER DO RESUME CHAIR

Mr. Thompson: Second the motion.

Question called on the motion

MOTION CARRIED MOTION CARRIED

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

REPORT: CHAIRMAN OF COMMITTEES

Mr. Chairman: Thank you Mr. Speaker. Committee convened at 10:45 am to discuss bills, sessional papers, memorandums and motions. Committee first dealt with Bill #9 with Mr. Commissioner in attendance. Committee recessed at 12:00 noon and reconvened at 2:00 pm. Mr. Baker and Mr. MacKenzie attended committee to assist with Bill #9. I can report progress on Bill #9. It was moved by Councillor Boyd and seconded by Councillor Thompson that Mr. Speaker do now resume the Chair and hear the report of the Chairman of Committees. This motion carried.

Mr. Speaker: Thank you Mr. Taylor. Gentlemen you have heard the report of the Chairman of Committees. Are you agreed with the report?

Council: Agreed.

Mr. Speaker: Tomorrow gentlemen for the agenda I know we have the matter of bringing up Motion #21 for discussion. That is the motion relating to the Liquor Ordinance. We proceed with that in the morning and bills, sessional papers, memorandums and motions. Is that agreed?

Mr. Chairman: One point is that this motion is in Council and I believe would need to be moved in Committee before it can be considered in Committee. It has just been deferred in Council so possibly members may wish to do that in the morning if this is then to be considered in Committee and following that we could continue with the budget. I believe this is deferred Mr. Speaker until the Administration produce their sessional papers on matters pertaining to the Liquor Ordinance..

Mr. Speaker: You are quite correct Councillor Taylor. It will be necessary then in the morning to move that into Committee and then if so desired we can proceed from that.

Mr. Chairman: I believe Mr. Speaker this was deferred until we got those papers so it may be that they are not here in the morning in which case we might have to defer it another day in Committee.

Mr. Speaker: Is that agreed gentlemen? AGREED

Mr. Thompson: I was just going to say that I think if it is agreeable we will move the motion into Committee so that it can be discussed if and when, rather than go through this shemozzle again.

Mr. Speaker: We can do that in the morning. What is your pleasure now gentlemen?

Mr. Boyd: I move that we call it five o'clock.

Mr. Southam: Second the motion.

Question called on the motion MOTION CARRIED
Council adjourned to
10:00pm April 27, 1967

Thursday, April 27, 1967.
10:00 o'clock a.m.

Mr. Speaker read the daily prayer and Council was called to order. Councillors MacKinnon and Watt were absent.

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

Mr. Clerk: There is, Mr. Speaker.

Mr. Speaker: The first business on the Agenda will be correspondence. Have we any correspondence, Mr. Clerk?

Mr. Clerk: I have none this morning, Mr. Speaker.

Mr. MacKinnon enters the Council Chambers.

Mr. Speaker: Have we any Reports of Committees? We have a Bill I notice to Introduce this morning.

Moved by Councillor Boyd, seconded by Councillor Southam, that Bill No. 16, An Ordinance for Granting to the Commissioner Certain Sums of Money to Defray the Expenses of the Public Service of the Territory, be introduced at this time. BILL #16 INTRODUCED

MOTION CARRIED MOTION CARRIED

Councillor Taylor voted contrary.

Mr. Speaker: Have we any Notices of Motion and Resolution this morning?

NOTICES OF MOTION

Mr. MacKinnon: Yes, Mr. Speaker, I beg leave to give Notice of Motion re a Police Station at Pelly River, and, #26
Mr. Speaker, I beg leave to give Notice of Motion re Highway Operators. #27

Mr. Speaker: Have we any further Notices of Motion? If not, we will proceed to Orders of the Day.

Mr. Watt enters the Council Chambers.

Mr. MacKinnon: Mr. Speaker, I beg leave to give Notice of Motion re Electrical Requirements at Pelly River. #28

Mr. Speaker: Have we any further Notices of Motion?

Mr. Watt: Mr. Speaker, I beg leave to give Notice of Motion re immediate calling of contracts for Lot 19. #29

Mr. Speaker: Have we further Notices of Motion and Resolution? We will now proceed to Orders of the Day. Have we any Notices of Motion for the Production of Papers? We now proceed to Motions. We have Motion No. 21.

Moved by Councillor Taylor, seconded by Councillor Southam, that Motion No. 21, Amendments to Liquor Ordinance, be referred to Committee of the Whole. MOTION #21 REFERRED TO COMMITTEE

MOTION CARRIED MOTION CARRIED

Mr. Speaker: We next have Motion No. 25, connection of South Access Road to Second Avenue. Mr. Boyd.

MOTION #25 Mr. Boyd: Mr. Speaker, moved by myself, seconded by Mr. Thompson, re Connection of South Access Road to Second Avenue. "That Administration approach the City Council with a view of negotiating and finalizing arrangements for the completion of the south access road and its connection with Second Avenue forthwith." May I proceed, Mr. Speaker.

Mr. Speaker: Proceed, Mr. Boyd.

Mr. Boyd: It appears that nobody really cares or is concerning themselves with the completion of this road. It has been hanging dangling now for a period of three or five years and as near as I can tell, the City seem to have forgotten to include it as a part of their business and I merely make this Motion so that the Administration of the Territory can get together with the City and arrange for its completion in order that the public can be served in a much better manner that what is now possible, and I would certainly hope that Council will agree to this Motion, particularly where I say, "approach the City Council with a view of negotiating". It's not demanding. It's a request to consider.

Mr. MacKinnon: Mr. Speaker, evidently Mr. Boyd is attempting to go along with the Metropolitan Plan which he has went against for a good many years, and I am wondering, without completion of the Metropolitan Plan, if this is a good thing for the City to funnel the traffic into Second Avenue and have a traffic tie-up during the summer.....campers and trailers and everything being drawn up Second Avenue without an outlet as the Metropolitan Plan had outlined. They anticipated a road going out somewheres around the dump area at Porter Creek and I don't think that this has ever been constructed and I wonder if Mr. Boyd is fully aware of what he is doing here.

Mr. Watt: Mr. Speaker, I think this Motion has a lot of merit and I think the suggestion that Mr. MacKinnon has given has some merit too...funnelling quite a bit of traffic into the center of town with restricted ways of getting out.... but I think that this Motion is good and I won't try to amend it right now but I think that next Session, once this part is done, then the next step is to try and get both the Administration here and the City to co-operate to extend further in the other way and I think the Whitehorse Metropolitan Plan, even although this is within the City Limits, suggests co-operation between the two Governments in a lot of this stuff and Territorial Council has been doing its share in encouraging the development of certain things with respect to the Metropolitan Plan. There has been a bit of work done on this and I am positive, Mr. Speaker, that the fill that was put in there last year was put in by the Territorial Government. I am positive of that. I mention this to just illustrate our responsibility towards this.....we already have accepted some responsibility towards it so, therefore, I don't think this Motion is at all out of order. I think it's within the jurisdiction of the Territorial Council to make this Motion and I think it is a good Motion. I think that the whole Council should support it.

Mr. Thompson: Mr. Speaker, as seconder of this Motion, I heartily concur. I feel that this will probably bring to fruition this phase of the Metropolitan Plan that will endeavour to connect Second Avenue with the Two Mile Hill in the very near future and if the first phase, which is the one that is recommended in this Motion, is instituted, that immediate steps will be taken to make land available

Mr. Thompson continues: MOTION #25
for negotiation between the City, Territory and White Pass so that an exit at the Two Mile Hill end of town will be forthcoming so I would also ask that Council support this Motion.

Mr. Taylor: I support the Motion. I think, Mr. Speaker, that the Whitehorse Members agree that this is a desirable thing for their City and I certainly support it. However, Councillor Thompson did make a point here that I am a little curious about. I would like to direct this question to Councillor Boyd which he could answer possibly in his closing remarks. Am I to understand that in order to bring this about that we have to go again to White Pass and pay them money for land...taxpayer's money....in order to bring this about, do we have to buy something from White Pass again?

Mr. Speaker: Mr. Taylor, Mr. Boyd can answer that and you can continue with your debate. Could you answer that question, Mr. Boyd?

Mr. Boyd: I am not positive. I doubt that this is the case. We are entitled to a right-of-way through and I don't think it's a case of buying land.

Mr. Taylor: Well, Mr. Speaker, this is the only part that I find some difficulty with. It seems that every time we want to do something in Whitehorse, we have got to go to White Pass and give them a whole handful of the taxpayer's dollars to do it. I certainly hope that this will not be the case in respect of this access. I would sooner see it expropriated and put the money into expropriation than I would to see it paid out as we have in the past.

Mr. Boyd: I probably misunderstood Mr. Taylor's question. I am prepared to close debate anyway so...it's a case of hooking up the South Access Road. There is no intention of buying any land. That's all clear...getting to Second Avenue. We're not involved there at all with White Pass. I won't say any more on the Motion.

MOTION #25 CARRIED

MOTION CARRIED

Mr. Speaker: Have you questions this morning, gentlemen, for the Commissioner. If you have I will make arrangements accordingly. Do you have a question, Mr. MacKinnon?

Mr. MacKinnon: Just one, Mr. Speaker.

Mr. Speaker: I will call a short recess. Mr. Clerk, would you please ascertain if the Commissioner can be available for the question period.

Mr. Speaker: I will now call this Council to order. We have Mr. Commissioner with us and we are now involved in the question period. Mr. MacKinnon, you had a question.

Mr. MacKinnon: Yes, Mr. Speaker, thank you. The question is in regards of the policy of hiring staff, or personnel I should say, for the removal of garbage from public campgrounds. I understand that in the past this has been more or less a handout by the Forestry Department Personnel. They hire who they see fit and on a continuing basis. As to whether this person should be hired or not has been very questionable, for instance in my area. QUESTION RE GARBAGE REMOVAL CAMPGROUNDS

QUESTION GARBAGE REMOVAL PUBLIC CAMPGROUNDS

Mr. Speaker: Mr. MacKinnon, would you get to your question please.

Mr. MacKinnon: The question is does Administration plan to continue with this same type of policy?

Mr. Commissioner: Well, Mr. Speaker, I would put it to you this way that if Council doesn't feel that the policy has been handled in a satisfactory manner up until now or the present policy is not satisfactory, I would be very happy to entertain your suggestions as to how some other policy might be instituted that would be more in keeping with your wishes.

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

Mr. MacKinnon: Then, Mr. Chairman, do I take it that a Motion would be of value in this particular case?

Mr. Commissioner: This will set the wheels in Motion, Mr. Speaker. I have no immediate knowledge of exactly what the policy is but if, as I said, if Council feel that this is not the right policy, if they will let me have some guidance as to what they feel the proper policy should be, it will give me ample opportunity to look into it and see if these necessary changes can be given effect to.

Mr. Speaker: Have we further questions?

QUESTION RE JUSTICE

Mr. Taylor: Mr. Speaker, I have a question I would like to direct to Mr. Commissioner this morning and it has reference to Justice. I have on several occasions mentioned at this table, of course, that there is very little of it in the Yukon, and I would ask Mr. Commissioner what liaison do this Council have between the Federal Department of Justice and the people of the Yukon? Who is the liaison? If the Council have any problems, who do they go to in matters such as this?

Mr. Commissioner: Mr. Speaker, I wonder...could I have an example of a specific problem that the Councillor might be referring to and then I think I would be able to at least indicate whether or not I can give a satisfactory answer.

Mr. Speaker: Mr. Taylor, can you answer that question?

Mr. Taylor: Yes, I think so, Mr. Speaker. There are many things. I will give you one example...is why people who commit very heinous crimes...very serious crimes...are, for instance, let loose by the Magistrate on their own recognizance...while they await trial, they wander around and commit more crimes...this type of thing. Who do we go to now that Justice is a Federal responsibility? How do we resolve it? We obviously can't go to the Judge or Magistrate.

Mr. Legal Advisor enters the Council Chambers.

Mr. Commissioner: Mr. Speaker, this is getting into a very fine field and perhaps since Mr. Legal Advisor is here, he might be able to assist in answering this question. I would say this that items, after they have gone in front of the Court...I don't know just where you would go in this connection and I think Mr. Legal Advisor might be the man to offer some suggestion.

Mr. Speaker: Gentlemen, we will call a short recess at this time.

Mr. Speaker: I will call this Council back to order and perhaps this question could be referred to the Legal Advisor. Mr. Legal Advisor, are you acquainted with the question? QUESTION RE JUSTICE

Mr. Legal Advisor: As I understand it, Sir, is it in view of the fact that there is no Justice Vote...no Justice Department...if a Member of Council or a member of the public feels dismayed with the action of one of the judiciary, how will the alarm be conveyed to the authorities and how will the situation be remedied. I can only suggest, Sir, that each person's reaction to a decision of the Court is best communicated by a direct letter to the Minister of Justice. This is the right of the individual in Canada...to write to the Minister or the Prime Minister. If the letter is directed to me, I will undertake to see that it is presented to my Deputy Minister. I cannot, of course, at any time predict an outcome that would be viewed as satisfactory from the point of view of the person laying the complaint because it is traditional that neither the Administration nor the Executive, nor the Legislation will interfere with the judicial bodies in this country and if I may suggest, this is rightly so because time and time again the judges have stood firm on behalf of freedom despite the pressures of indeed well meaning and honourable citizens who, in their time of day, had formed a certain view about the correct treatment of a situation. I can only undertake to relay comments of a Member or an individual but I cannot promise any particular course of action. However, I am here and despite the fact that there is no Justice Vote, if complaints are made to me, I will always see that they are forwarded.

Mr. Speaker: Thank you, Mr. Legal Advisor. Does that answer your question, Mr. Taylor?

Mr. Taylor: Well, yes and no, Mr. Speaker. I have a supplementary question. Possibly this matter will be discussed when we go through the Budget or in the Agreement but is it anticipated, to the knowledge of Mr. Commissioner, that once again an attempt would be made to provide the Yukon Territory with a Quasi-Attorney General or a person who would be a liaison between the Administration and Council for the whole of the Territory and the Department of Justice? Is this to be included in this forthcoming Fiscal Agreement?

Mr. Commissioner: Mr. Speaker, to the very best of my knowledge...now I stand to be corrected on this...to the very best of my knowledge, gentlemen, there will be no mention of Justice in any way, shape or form in the forthcoming Fiscal Agreement. We will not be called upon to vote funds in connection with it. We will not be called upon in any way, shape or form to the best of my knowledge to have any reference to this particular field of Federal responsibility in this Fiscal Agreement. Perhaps Mr. Legal Advisor may have some information to the contrary but certainly this is the very best information that I can give Council, Mr. Speaker.

Mr. Speaker: Thank you, Mr. Commissioner. Does that answer your question, Mr. Taylor?

Mr. Taylor: Yes, fortunately it does, Mr. Speaker.

Mr. Speaker: Thank you. Have we any further questions?

QUESTION RE LEGISLATION

Mr. Watt: Mr. Speaker, I would like to ask Mr. Commissioner if he approves legislation before it is presented to Council. Is it presented to him and approved before it is presented to Council?

Mr. Commissioner: Is the question now....going back to say a private member's bill. Does a private member's bill have to come to me for approval before it comes to Council?

Mr. Watt: Strictly public bills is all I am referring to... those that originate from the Government.

Mr. Commissioner: I would say this, Mr. Speaker, that the general answer to this question would be that Bills in question have the Administration's approval before they come to Council and if you are referring to every section of every Bill....there may be items or sections that are in some of these Bills that are the result of particular recommendations or particular problems that have come up on Council....that Council has expressed specific wishes in connection with... that Administration has seen fit to give approval to to give effect to Council's wishes on the matter, Mr. Speaker. In other words, it is, generally speaking, a combination of many factors and many facts before legislation is presented and, certainly, it has the Administration's blessings as a general package before it comes to Council.

Mr. Speaker: Does that answer your question, Mr. Watt?

Mr. Watt: Partly. A supplementary question that arises from that...a result of every session or every second session ....the Administration introduces a Bill of some kind that usually includes a few sections for arrest without warrant. Does the Administration approve these before they come in? These are originated from the Administration...not from the Council. Were these approved by the Administration before they came to Council? Both times, they have caused a terrific storm in Council. Were these approved by the Administration first?

Mr. Commissioner: Mr. Speaker, this has got to be answered in a very frank manner. As far as my personal attitude is concerned, Mr. Speaker, I say, and I think that I have intimated this to Councillors as individuals...that the idea of arrest without warrant and search without warrant...these two particular items...I personally, Mr. Speaker....I cannot accept these things at all. I just don't think that they are right. I don't think they are proper but the fact that I, as an individual, feel this way is no reason why these matters should not be presented to Council as part of a total package for Councillors themselves to make up their mind on, Mr. Speaker. If I were to suggest that every only thing be put into legislation or papers for Council that had my personal approval or personal disapproval, I think that this would be a very, very sad state of affairs, Mr. Speaker. It would be entirely wrong and while contents such as has been referred to by the Councillor here right now... when I sat on Council and the Votes and Proceedings are available there, I was just as utterly opposed to these things as what many Councillors are right now. Mr. Speaker, believe you me, I will stand forever on the premise that the Council should have their say as to whether or not they as a Body whether they want to see these things included in Ordinances or whether they do not wish to have them in Ordinances.

Mr. Speaker: Are you satisfied, Mr. Watt?

Mr. Watt: Yes, I have another question....

Mr. Speaker: On that particular subject...Mr. Taylor has a question.

QUESTION RE ROSS RIVER WATER PROBLEM

Mr. Taylor: Mr. Speaker, I would direct another question to Mr. Commissioner and that is will there be provided in the current proposed Budget sufficient funds to alleviate the present water problem at Ross River?

Mr. Commissioner: Mr. Speaker, there is, to the best of my knowledge, without individually and specifically investigating this question, to my knowledge there is not provision specifically allocated for to alleviate the water problem at Ross River in this Budget. I am subject to correction on this, Mr. Speaker, but to my knowledge there is not.

Mr. Taylor: A supplementary question, Mr. Speaker. In view of the importance of this situation, will funds be provided to alleviate this immediate problem?

Mr. Speaker: Well, Mr. Taylor, I think I would have to rule that out of order...proposed in the form of a Motion I think and it also has to have the approbation of the Council.

Mr. Taylor: Mr. Speaker, point of privilege. I cannot see how it can be ruled out of order. I am asking the Administration if it is their intention to do this. I am not instructing them to do anything. I am just trying to determine what they are going to do about it.

Mr. Speaker: Well, gentlemen, do you agree that this question can be requested?

Mr. Boyd: No, I am not agreed.

Mr. Speaker: Will those please signify agreement..... three. (Councillors MacKinnon, Taylor and Thompson agree.)

Mr. Speaker: Those that disagree.....

Councillors Boyd and Southam disagree. Councillor Watt also disagreed.

Mr. Speaker: I am afraid the question is out of order, Mr. Taylor.

QUESTION RE RAILROAD ANNOUNCEMENT

Mr. Watt: Mr. Speaker, I would like to ask Mr. Commissioner if there is any information he would like to offer to Council right now with respect to a delightful announcement made yesterday in New York by the Honourable Minister Arthur Laing with respect to the building of a railroad in the central Yukon.....that you would like to give Council at this time, Mr. Commissioner?

Mr. Commissioner: Mr. Speaker, my Minister is responsible to the House of Commons. I in turn am responsible to him and he in turn is responsible for me and under those circumstances, he is perfectly at liberty to make announcements from time to time concerning matters that he has not seen fit to communicate the details to me and I am afraid that there is nothing I can offer for Council at this time in this particular regard.

Mr. MacKinnon: Mr. Speaker, in view of a radio broadcast to the sane possibilities of Magistrates in provinces, I would like to ask the Commissioner if we have any periodic check ups as to the sane nature of Magistrates and/or Judge for the Yukon Territory?

Mr. Commissioner: Mr. Speaker, I would have to ask Mr. Legal Advisor to answer that question. I am afraid I am in no position to answer that.

Mr. Legal Advisor. Mr. Speaker, there is no special machinery provided to assess the sanity of the Judge, or the Magistrate, or the Members of Council, or the Members of the Administration.

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

Mr. MacKinnon: Very well, Mr. Speaker.

Mr. Commissioner: I am very happy that the Legal Advisor added the last sentiment.

Mr. Speaker: Have we any further questions?

QUESTION RE DEPT. HEALTH & WELFARE

Mr. Taylor: I have a question I would direct to Mr. Commissioner, Mr. Speaker, involving the Department of Health and Welfare. Is it the policy of the Department of Health and Welfare to step in within the Territory and alleviate, for instance, water problems when they become health hazards...and by-passing the Council to do so?

Mr. Commissioner: Do I understand the question now, Mr. Speaker.....is it the policy of the Department of Health and Welfare to step in and alleviate water problems in areas where they become health hazards?

Mr. Taylor: Right.

Mr. Commissioner: Now, I am assuming that the Councillor is referring to the National....Federal Department of Health and Welfare. I would have to find out what the policy is in that regard, Mr. Speaker. I am afraid that I just do not know.....I know that they have recommended from time to time installations of sewer and water systems and other things along these lines and at that particular point in time, it seems to me funds were made available to give effect to this by the Territorial Council. As to whether this is a general policy, I would have to determine this. I am still suffering from the effects, Mr. Speaker, of something somewhere along the line that occurred in the general area.

Mr. Taylor: Thank you, Mr. Speaker.

Mr. Speaker: Have we any further questions?

QUESTION RE FLAG

Mr. Taylor: One final question, Mr. Speaker. What progress is being made on our flag?

Mr. Commissioner: Mr. Speaker, I am advised by the Clerk of the Council that the flag sample should be here no later than Monday. Apparently there was a long distance telephone call made between the Territorial Secretary and the flag manufacturer yesterday and it was indicated that they would be shipped from the plant where they are being produced by air today so there should be no further delays...Monday.

Mr. Speaker: Have we any further questions.

Mr. MacKinnon: Mr. Speaker, I would like to once again ask the Commissioner if he is going to table a paper in regard of the misfortune that occurred at Dawson City on the liquor subject.

QUESTION RE LIQUOR PAPER

Mr. Commissioner: Mr. Speaker, there are three liquor papers that I promised you for today. Two of them are all ready. The third one is in preparation right now and it will be here at the Council table, Mr. Speaker, just as quickly as we have them turned out in the mimeographing department.

Mr. Speaker: Thank you, Mr. Commissioner.

Mr. Commissioner: Mr. Speaker, while I am on my feet, may I say one thing further in connection with a question that was asked several days ago?

Mr. Speaker: Proceed, Mr. Commissioner.

Mr. Commissioner: I have...the question concerning architects and their use in Governmental construction, Mr. Speaker, and I have had the Engineering Department prepare a list of 24 different construction projects that have taken place under Territorial Government auspices in the course of the last eight or ten years, indicating who the architects were, who did the mechanical design and electrical design and so on.. for distribution to Council Members so that they will know for factual information before them who have been used on a consulting basis in these architectural fields and I would ask Mr. Clerk, if it is satisfactory with you, Mr. Speaker, if he would distribute these to Council Members for your information.

LIST OF ARCHITECTS DEALT WITH

Mr. Speaker: By all means.

Mr. MacKinnon: One further question, Mr. Speaker. I believe that it is very certain that the Territory will be purchasing the Aishihik Airport and I would like to ask the Commissioner to forward to Council the complete copy of inventory of what we are purchasing.

Mr. Speaker: Mr. MacKinnon, this would require a Notice of Motion for the Production of Papers so that you could get this information. You could put that in tomorrow morning in the usual course of the Agenda. Have we any further questions?

Mr. MacKinnon: Mr. Speaker, could I hear the Commissioner's comments on this?

Mr. Speaker: That is a type of a thing that is out of order, Mr. MacKinnon. That will come under production of papers.

Mr. MacKinnon: Clear.

Mr. Speaker: Have we any further questions?

Moved by Councillor Boyd, seconded by Councillor Taylor, that the Speaker do now leave the Chair and Committee 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. Taylor will take the Chair in Committee of the Whole.

Mr. Taylor: Gentlemen, we have this morning Sessional Papers and the Budget. If it is your wish, we can proceed with Bill No. 9 of the Main Supply Bill. I will declare a short recess.

VOTE #12 Mr. Chairman: I will now call committee back to order, and we were discussing Vote No. 12, Travel and Publicity, on page two.

HISTORIC SITES

Mr. Shaw: Mr. Chairman, in this respect we note that on page two, Primary No. 60 under Advertising to provide for proposed Dawson City and Historic Sites Development Program- I might be mistaken on this but I think that that is possibly a typographical error and it should be Yukon Historical Sites, isn't it?

Mr. Smith: Mr. Chairman, may I be permitted to say a word on this. The National Historic Sites Board are coming here to hold their meeting in Dawson City this summer. They are likewise, at that point we are hopeful that they are going to either instruct or give some professional advice and suggestions as to what should be done with regard to certain aspects of Dawson and the preservation of its historic value in some physical way, shape or form. I have also told you that they are also going to have a man permanently stationed in the Territory who in turn will hire two custodial type men, also in corollary with this you are going to have a Territorial Historic Sites and Monument Board. Now we are hopeful that the program in its initial stages will revolve around suggestions that will come initially from the National Historic Sites people and that it will concern the historic importance and impact of Dawson City and that this $10,000.00 here will get the proposed program that they will come up with underway. And this is specifically what it is for gentlemen.

Mr. Boyd: No, I'm not quite clear, first I'm getting a little confused now between what is Federal and what is Territorial, - this Dawson area being proposed as a historic site, to my thinking was a Federal deal and under the Federal wing. Now, is it intended that, if it is recommended by this audacious group of people that it should be a historic site that it is going to be the Territory's responsibility?

Mr. Smith: Certain aspects of it will be, Mr. Chairman. For example, the Federal government has seen fit to restore the Palace Grand Theatre. This was a complete and total Federal project. They saw fit to restore the steamer Keno. This was a complete and total Federal project. There no doubt will be other projects that they will suggest in connection with Dawson City which will be of a total Federal nature. There are going to be others that are going to be of a nature that if we are going to get them carried out we are going to have to do it with Territorial funds and this is what these funds are for.

Mr. Shaw: Mr. Chairman, this is - on this particular subject of Territorial and Federal - I have for years been trying to convince the Federal government that the Dawson City area is of national significance, in other words that must come under the wing of the National Historic Sites Board if they accepted that theory. There was a gentleman in the Dawson area possibly ten, twelve years ago, Dr. Sage, and he came to size up the situation at the time and his, I don't know just what his recommendations were, I didn't see them, but

VOTE #12 Mr. Shaw continues

HISTORIC SITES BOARD

at least his idea, what he told me, and people of the area was that the Klondike Gold Rush was something of local and not of national significance. Needless to say we very much disagreed with his views but there does seem to be an area that is hard to define what is of local significance and what is of national significance and now I can understand why this - I wasn't sure of all the ramifications.

Mr. Chairman: Clear, gentlemen?

Mr. Watt: Mr. Chairman, I was under the impression there was going to be a committee formed and go and this could be it and this appears to me this is the framework within which this is set up is a little narrow if it just confines itself to Dawson City. Now, I thought there was going to be a committee formed or association formed to assess other things of historic value in the Yukon Territory to see if they could be or should be preserved or not. For example Dalton Post, either it should be or shouldn't be. If it is not worth anything historically it might as well be destroyed and let go. The I.O.D.E. Hall in Mayo for example may have some historical significance or not. I'm not capable of assessing it. And we have a problem here the other day and they couldn't decide it one way or the other, and this thing along the Chilkoot Pass could be of historic value. And old Dawson City Roadhouses and Champagne area, these are all associated with the gold rush - most of them are - and are these, is the framework within which it will work broad enough to give us an assessment of general historic value of all the stuff in the Yukon?

Mr. Smith: This is the whole idea - that they are going to be working within - in other words it is going to be a total package. However, I say this to you that while I am quite prepared, if council recommends, that we broaden the terms under which we are designating this $10,000.00 here - I say this to you gentlemen, that it may be a couple of years time or at least another construction season away anyway before we will have any definitive results from our own Territorial Historic Sites Board. Now I think we are just finalizing- I think I asked Council yesterday for the final names of the people who will make up this particular board. We hope to get them underway very, very promptly. It is going to take a while for these things to get catalogued and so on down the line and the feeling at the time we were making up the budget and were talking to the various people who were involved with this kind of thing said that there may be pretty firm indications in the Dawson area that our Historic Sites Board would be able to give approval to this year or it may be a year or two before there would be other areas they would be able to properly assess and if Council want to broaden the terms under which this $10,000.00 could be available to- not to strictly confine it to Dawson, I am not opposed to this at all, Mr. Chairman. The main thing I am interested in is that Council see fit to permit the $10,000.00 to stay in the realm of the preservation of historic sites that are going to be dealt with with the approval of either one or the other of the committees that are involved.

Mr. Watt: Mr. Chairman, I'd like to suggest that this should be broadened - if you have a committee like that

Mr. Watt continues..

going to Dawson City - or a committee from a committee going to Dawson City a group of buildings there is no reason why they shouldn't do an item in Mayo - people there think should be assessed for its historical value- there is no reason why they couldn't make a side trip there or take an afternoon off and say look at the boats or anything else that is of historical value or maybe in the Whitehorse area; there is no reason why, I don't think this shouldn't be broadened and I therefore move that the terms of reference for this committee be broadened to include assessing things of historical value throughout the Yukon.

Mr. Smith: Mr. Chairman, the terms of reference of the committee are for the total Yukon. There is no problem there, Mr. Chairman. I think what the Councillor is getting is that he would like to feel that the particular monies that are allocated here would not necessarily be for the Dawson Area that they could conceivably be for other areas if (inaudible). Is this what you are getting at?

Mr. Watt: Yes.

Chairman: Isn't this the duty of the Committee? I thought this was already settled .

Mr. Shaw: Mr. Chairman, that was my assumption, that this Committee would study this thing and make recommendations and that, however this money was put in in the first instance because there is no question that there are many historic sites in this particular area but it would be up to the committee to decide and they would come up with a decision- there would be members from all over the Yukon and they would have to agree on what they were going to do. It would be in the committee's hands ...

Mr. Smith: There would be a system of priority, Mr. Chairman.

Mr. Chairman: Gentlemen, are you clear on page 2?

All Clear:

Mr. Boyd: Clear, so long as it hasn't been laid down anywhere . It seems to have gotten in here that it is for Dawson and I had in mind that this Mayo situation, when I was refusing to give up taxes, would be dealt with by this committee and I would want this thoroughly understood that they are not just tied to Dawson for a one year period and to another area for another period. They must be able to move around wherever there were fingers pointed at them.

Mr. MacKinnon: Well, Mr. Chairman, I don't look at it from that view because if I may read from the Estimates here: 'to provide for proposed Dawson City and historic sites development program and' - now this could be anywheres in my interpretation.

Mr. Chairman, are you clear, gentlemen?

All: Clear.

VOTE #12 Mr. Chairman: Have we anything on page 3?

All: Clear.

Mr. Chairman: And page 4, gives us a total expenditure of $133,576.00, for Travel and Publicity on Operation and Maintenance.

Mr. Watt: Are we providing housing units for some members of the staff?

Mr. Smith: Mr. Clerk, would you check on that for us, please? I can assure you, Mr. Chairman, if we are providing housing here that economic rents are being charged.

Mr. Chairman: Have you anything further, gentlemen, on Travel and Publicity before we proceed? The next is Vote
VOTE #14 No. 14, Yukon Regional Library.

Mr. Boyd: I wonder if I could ask a question - $10,000.00 for matching grants - did we spend $10,000.00 in matching grants last year?

Mr. Smith: Where is this located?

Mr. Boyd: Page 3 on the vote we are just discussing #14.

Mr. Smith: The final figures for 1965-66 were $1,934.15 and last year you voted $12,000.00 and I will definitely find out the actual expenditures that were made.

Mr. Chairman: Are we now clear on Vote 14 - Yukon Regional
VOTE #14 Library. Gentlemen, we go to Vote 14, Yukon Regional Library in the amount of $95,535.00.

Mr. Shaw: On this particular matter Mr. Chairman, I wondered
DAWSON LIBRARY if the Commissioner could look into the possibilities of taking out in the Dawson Library - the library is very small, it is in the liquor store and it is a half room they are using. It was the bonded warehouse section - if it would be possible to take down that partition to permit a larger area and the opportunity of having a reading section in the present liquor store -which was constructed when the boats came in and all the liquor had to be stored in this particular building and it would appear to me that they could take this little bit of room - they have a partition and if it could be moved to permit a reading room which is not there at the present moment, if the Commissioner would be prepared to endeavour to try and get this arranged.

Mr. Smith: Mr. Chairman, I would like to confirm for the Councillor's information that this matter is already under review and we are endeavouring to make the necessary changes to make this possible, either increase in the space in the present building that the library is located in or provide alternate space in another building that would give more space. This is a very necessary thing and we are fully cognizant of the fact that this is not adequate.

Mr. Shaw: Thank you, Mr. Chairman, This was my question - when we passed the appropriation for this large, beautiful library we have here in Whitehorse, I wondered that we go to such a fabulous expense on one building that we would perhaps improve facilities in other areas and at that time

Mr. Shaw continues... VOTE #14

I was assured by the Commissioner and Librarian that it was the intention of the government to provide larger and new libraries in other areas of the Yukon and in this instances there has been a change of heart in the (inaudible) so this would be a very minimal change (inaudible).

Mr. Southam: Mr. Chairman, it seems to me that $4,000.00 to heat one room is pretty high for one room at Dawson- the Dawson Library takes one room - it is a lot of oil -

Mr. Shaw: Mr. Chairman, I have to agree with that very much myself. How that came about I don't know.

Mr. Chairman: Gentlemen, it states fuel oil, wood and fuel oil - Dawson Library so it must involve other units...

Mr. Smith: Mr. Chairman, if you take a look at previous years for 1965-66 expenditures were $493.73 and last year you voted $3,740.00. I think this is a point in question which should be checked to see what is going on.

Mr. Chairman: Is this not the new building here in Whitehorse?

Mr. Smith: No, no, this, I'm afraid is - we've got to look into this.

Mr. Boyd: I would ask that this be looked into and a more appropriate figure should be arrived at. When we know what the figure should be we'll reduce the budget by that.

Mr. Smith: Unless this is the total library system that is referred to - inaudible.

Mr. Southam: Mr. Chairman, I think it should be put down a little differently to what it is because it is misleading- it is to me anyway.

Mr. Smith: It would certainly be misleading to anybody else too.

Mr. Taylor: If this does not include the Whitehorse Regional Library we must be heating it with the sun or something, because we've got to heat that building with something.. Do you wish Mr. Clerk to contact Treasury and find out what it is all about?

Mr. Smith: Please, Mr. Chairman, we have to know what it is about?

Mr. Chairman: Gentlemen, have you anything further on the Yukon Regional Library?

SUNDAY HOURS AT WHITEHORSE LIBRARY

Mr. Smith: If I may say, Mr. Chairman, in passing, that you may have noticed that we are experimenting with Sunday hours here in the library at Whitehorse and I can't tell you just what the public reaction has been up until now but we are endeavouring to find out if this is a worthwhile thing to keep the library open on Sunday - it certainly appeared to me that you can go to a show, you can go to the pool hall, you can go to a hockey game, you can do just about anything except get into the library on Sunday so we are experimenting with this and if it is successful we will continue and if it is not we will revert to our former hours.

VOTE #14 Mr. Chairman, gentlemen, are you clear except for the item just noted.

All: Clear.

VOTE #15 Mr. Chairman: We move next to Vote 15 - Welfare. First item is Administration in amount of -$174,166.00 as enumerated, starting page 3.

Mr. Watt: Mr. Chairman, that's roughly 25 cents on the dollar....

Mr. Smith: This is a Department, Mr. Chairman, that is basically individuals working - that is exactly what we are talking about and it is also a Department where a tremendous amount of record keeping and paper work in general is required so that we recover the necessary funds that are on the shareable programs and the continuous updating and processing of information files on the work that is going on.

Mr. Chairman; Are you clear on Administration?

Mr. Boyd: In operating this Department, is it operated shall we say along the lines that we operate the school on the basis of the Vancouver or British Columbia curriculum. Do we follow any set pattern for operating here or is it virtually in the hands of one man's reasoning, primarily, the Superintendent of this Department?

Mr. Smith: To a degree, yes this is quite right, but remember that we must do many things in conformity with what other provinces do and we must also do many things in conformity with rules and regulations laid down by the Federal Government who are participants in the cost-sharing factor so that the room for leeway on the part of our own Director as to what programs he is going to do and how he is going to do them is quite limited. He does not have the ability to institute programs on his own or conduct existing programs entirely on his own. They must be conducted within the scope of certain laid down policies so that we can participate on cost-sharing levels and any agreement that we have with any other provinces forlthe use of their facilities to do so.

Mr. Chairman: Clear, gentlemen.

Mr. Boyd: It is rather alarming how these costs keep going up - there are no more people here than there were two or three years ago. The responsibilities population-wise have not increased and if you go back to 1965-66 you will see we got by with $113,000.00 ...and we upped that by $45,000.00 last year. Now I don't know how much of it we used - we voted $158,000.00. Now we come along and we vote $174,000.00. This is why I ask what kind of a pattern do we follow and so on - it is alarming - to me it is alarming, really so.

Mr. Smith: I can't agree more with what the Councillor says. It is enough to scare the life out of anybody. However, what is the alternative, Mr. Chairman?

Mr. Shaw: That's the way I look at it Mr. Chairman. I think it's terrible but I don't know what I can do about it.

Mr. Boyd: This is why I say, this question of one man-maybe we should have a look-see how we are going along here and compare it, or something. I know in dealing with the school teachers there was a good look-see at how we are paying them and it's pretty rugged... I'll grant you but at least we know it is on a par with the operations across the provinces starting at Manitoba. I know this because I have had something to do with it but I don't know what this is on a par with, Mr. Commissioner. I'm not trying to say --the lack of knowledge is making me curious, why I'm voting such sums of money.

Mr. Smith: In other words, what the Councillor is saying is that he would like to know as to whether or not our Social Welfare program as it is presented to you here is a more elaborate or less elaborate than what would be found in the neighboring areas in Western Canada. Is this what the question is, Mr. Chairman?

Mr. Boyd: Yes, I'd like to have some guidelines - I'd like to know there are some guidelines - some comparison to what they are. I know if you use Vancouver they will tell you that our per capita is lower here than in Vancouver, or B.C. but I don't know what it is in Saskatchewan, Alberta and Manitoba, which is a different story.

Mr. Smith: I'm in no position to know right offhand what yardstick we could possibly have available to Council outside of the per capita cost analysis, Mr. Chairman. About the only way we have of dealing with these things in many instances is on a comparative dollar bill - that's about the only yardstick that we can use and in many instances this isn't a very good yardstick either because very often we find that in areas such as this where there is sparse population maybe 25% of our employees time is spent in driving or travelling from point to point in the Territory in order to conduct their work but if Council feel I should be getting some kind of report for them for their guidance as to whether in fact our welfare program is stacking up adequately or inadequately with other areas I think it would be my duty to do so, if I were so asked.

Mr. Chairman: I wonder possibly if Mr. Murphy the Director of this Department might be able to answer that.

Mr. MacKinnon: Mr. Chairman, I have a question for the Commissioner and that is, just who is this Department answerable to at the present time, is it yourself?

Mr. Smith: Through the normal Departmental channels I am responsible.

Mr. MacKinnon: And you are fully aware of the operations?

Mr. Smith: Not down to the last detail - this is what we have staff hired for and I'm certainly here to answer any questions in connection with it or get the answers for council.

VOTE #15
WELFARE

Mr. MacKinnon: I might say, Mr. Commissioner, that we did try to investigate this Department a couple of sessions ago and found that all information was confidential and so in view of the fact it is a confidential Department I would like at this time to make a motion that we set up a committee to view the operations of this Department and report to Council.

Mr. Southam now takes the chair.

Mr. Taylor: Well, Mr. Chairman, this is absolutely unnecessary. The matters of a confidential nature that the member refers to I believe are, involve certain people on welfare and it is not in the best interests of the people of the Territory or the people involved that those names be released for public use and this is an understanding thing. And this is no problem but certainly I don't see where a committee is required. Mr. Commissioner has pointed out he is responsible for this Department and it seems to me Mr. Chairman if we want information we merely get .. Department in here and he can provide it or the Commissioner can go to the Director of the Department and get an answer to the questions and there is certainly no need for a committee.

Mr. Taylor resumes the chair.

Mr. Smith: I'm prepared to co-operate with Council in any way they wish..

Mr. Southam: Mr. Chairman, I quite agree with Councillor Taylor, that anything confidential whether you are here or in the provinces they just don't hand that over to you willy-nilly. This is in confidence that is entered into and it is kept that way and this is the way it should be and as far as a committee is concerned I don't think we could get anywhere with a committee - we'd just be setting up something -more departments than ever and I'm positive that we can get the answers that we want to outside of this confidential stuff and you cannot get that no matter where you go- you just can't get it.

Mr. Watt: I don't think anybody around here wants any confidential information. We are talking about dollars and cents. I certainly don't want any.. But we are talking about half a million bucks - over half a million- a million dollars here and there is a principle involved here that for one thing I think that the Federal government is just throwing their responsibilities off onto the Territorial government with about half of this budget. There is about $400,000.00 that should be Federal responsibility that has been thrown off on our shoulders. The Federal government accepts responsibility for Indians but they have gone out of their way to reclassify these people so that they are no longer their responsibility. It is another case where the Federal government wants jurisdiction over 210,000 square miles but they won't accept the responsibility for it and I have a couple of questions that I'd like to ask and maybe the Commissioner can answer them. One is if a native person that is no longer classified as native has sometimes in the past he or she had not wished not to be part... how can they-can they -and if so how can they become reclassifed as a native person?

Mr. Smith: You've gone into technicalities, Mr. Chairman, I haven't got a clue as to how you go about finding that out. But I'll certainly get an answer for you- in other words, a person who has been a native then they have declined their native status, how do they reclaim their native status? Native status removed voluntarily, is that what you mean, Mr. Chairman? Removed voluntarily? How can it be recovered?

Mr. Boyd: I look along on next page or so - I'm on page 8 and come to 88 which calls for clothing in the amount of $12,000.00. If you look down at the bottom of that you will see Recoverable Expenditure - Indian Affairs Branch 60 children at $100 per year - $6,000.00. Now, I always looked upon this Bill of ours as being strictly non-native. The Indian Affairs took care of their own people. They certainly have a staff for doing it and they create quite a furor around but here I see it is all mixed in here and this is becoming more confusing than ever. How did our Welfare Department get mixed up with Indian Affairs - I know it's probably been going on before but we see figures in here that show $800,000.00 and we look around and we find we are getting some back from the Indians - running two departments, duplicating one another and playing around like a bunch of kittens in a farmyard. This has got to be ironed out so we get one Department running one welfare organization somewhere along the way.

Councillor Southam takes the chair.

Mr. Taylor: Well Mr. Chairman, I think if we just slowed down for a couple of minutes and started to think this out we would find that we do not in the first instance have sufficient people throughout the Territory to look after native children and another group looking after white children and this type of thing. This is done by our Welfare Department and any charges levied against where they have found a native child in need the financial responsibility for the services rendered here are charged against the Federal government and this is good. I hear at this table you want to avoid duplication - this is avoiding duplication by dividing one Welfare services providing the needs of all the people in relation to child welfare and those other areas involved here and the charges are back-charged to the Federal government or Provincial governments and I think you'll find that really what you're looking at in this budget in terms of $810,000.00 that a great majority or great amount is recoverable in fact from the Federal or Provincial governments. We're not just throwing away $810,000.00. We're getting a lot of it back in recoveries and I think as you go through this you will note in section by section 50% recoverable - welfare grants and so forth - there is a great recoverable factor.

Mr. Smith: Mr. Chairman: We had a paper before Council here which I realize was quite a long and complicated one in connection with this particular thing and more and more the Federal government is accepting the responsibility for seeing that a proper standard of subsistance is provided to every citizen of Canada whether he be of native status or other status and under this Canada Assistance Plan our total dollar outlay from the Territorial taxpayer will be even at a lesser amount than what it has been in the past because the Federal government is providing more and more

VOTE #15 Mr. Smith continues..

of the basic assistance that is necessary in this regard. Now I think it was pointed out to you in that paper that the fine details of these recoveries are still being worked out but they were definitely working to the Territory's advantage in administration and the provision of a suitable welfare program for this Territory.

Mr. Taylor: Mr. Chairman, one other pointI think should be recognized in talking Welfare - in relation to welfare costs I think that would really help our position in the Territory would be to get the Indian Affairs Department to embark upon a program of social education at the community level throughout the Yukon and you might find you might be looking after less children and having less welfare problems throughout the Territory because this is what I would call Canada's greatest shame - I think, Mr. Chairman, - is the manner in which the Indian Affairs DDepartment have failed to live up to their obligation to the Indian people in terms of social welfare - the missing gap and I know that in the six years that I have been in council from time to time Indian Affairs have been encouraged to embark upon such a program as social education at the community level and they just absolutely refused to do it and until this is done I can see where our welfare costs are going to be high, and when this is done I can see possibly a decrease in welfare services in that general direction. But this is a really shameful thing that Indian Affairs-this is a Federal matter, mind you, but it is a shameful thing they do in denying this.

Mr. Boyd: My point is not that I'm against people being care for. In the first place the Indian is a responsibility of the people and it shouldn't be classed as welfare as such. It is not welfare, he is like your own child and you don't call him in your home before he is able to fend for himself as being a welfare case to you - it is a part of your responsibility . You took him over, and then, I wonder - here we have, I don't know how much this is really Federal responsibility - how much of this $800,000.00 is on behalf of the Indian but I would like to know how much more the Indian Affairs are spending on the same people. We have no control over this whatever. Welfare to me is just what it means clear across Canada - it never did include Indians in my language until I hit the Yukon- there weren't any and things are getting pretty mixed up when we have two outfits running the same show and I don't think this is right. It shouldn't even be in here. If Indian Affairs are going to put up the bill all they have to do is - we don't have to buy anything - they can charge it to the Department of Indian Affairs and let them do their own bookkeeping. Look at the paper and waste of time that we have here on behalf of the Department of Indian Affairs and we don't know what it is all about in the first place. Because we don't know how much of a part they are playing. It is a real mixed up thing.

Mr. Taylor: Mr. Chairman, I say again no, that where you have to expend money on foster home care for children, be they native or otherwise Indian Affairs are not equipped to do this, to set up their own system and so forth. I deplore the fact that they don't do social education at the community level but we do it and we charge them for it rather

Mr. Taylor continues...

than have a duplication of facilities. In other words the Federal government are paying for their responsibility here. In respect of native people being wards of the government fine - I think they got a better break under this system as citizens of the Yukon than they would have under the Federal government deal for the Federal government may give them destitute rations - we don't duplicate that - they may do many things. As a matter of fact the biggest problem I think that the native citizen of the Yukon has is a social problem and 90 percent of that social problem is being dealt with in the courts and the courts have prescribed a criminal cure for a social problem and this is a national disgrace and shame. However we can't do anything about that because the Federal government feels disposed to treat their social problem in this manner by making criminals of these people. We have an opportunity here through our Welfare budget in providing services to child welfare and so forth to these people at the Territorial level and I think this is a good thing and also we are recovering monies back for the services that we provide these people so in other words I think that the native person is getting a break and the Territory is not too far out.

Mr. MacKinnon: Well, Mr. Chairman I just can't follow Mr. Taylor's thinking, I believe the main question was is this as to whether the efficiency of this Department is carried out to the best possible way it can be. Now we are saying 50% is recoverable - so we are talking about a million dollars and we get $500,000.00 back - now that is good business, isn't it? But then at the same time if were only, say $400,000.00 and we were getting $200,000.00, in my books this would be better business because we would have saved $300,000.00. But Mr. Taylor seems to feel as long as we are getting so much back it doesn't matter what we spend. I just can't follow his thinking. And if I give away a dollar I like to get two back but you don't - it doesn't always happen but Mr. Taylor says it is a fine thing but in government business I don't see where it is a fine thing. I believe the question still stands where it started and that is how efficient is this department operating?

Mr. Taylor: Mr. Chairman, the member is obviously going around in great circles. I lost him about the first.. Now I believe it was my understanding that the Commissioner would be taking this question under advisement and was going to get an answer and we had done with that question. However, possibly the member would like it clarified and go through it all over again just to satisfy him.

Mr. Shaw: Mr. Chairman:I don't know anything about how you operate a Welfare Department as I'm not a professional man- even if I were on a committee I would not know what to look for. However, I can see it is quite a problem and it is a situation where we must become involved whether a person is Indian or halfbreed or white, they all have to be looked after and if you get an area such as Mayo, Dawson Creek, Watson Lake or Teslin these out of the way places, there is no person representing the Indian people in that particular area, they are all situated down below in an office and make periodic trips to see their charges. In the meantime every day, or every other day, whatever it is, problems come up

VOTE #15 Mr. Shaw continues...

WELFARE

in relation to welfare. As Councillor Taylor stated, welfare home have to be provided and foster homes and there are other matters very much related and we in the Territory, I feel, must provide that service. We have the experienced personnel right on the job and whether it comes from the Indian Department or the Territory it is a job that has to be done and ..splitting costs as they do, charging it back to the Indian Department, I can't see how you could possibly have any other system. Iti s just the old saying we'll always have the poor with us - it has been going for thousands of years and it exists today, perhaps more than it did years ago because there is such a disparity between the standards of living of some of these people and others considered normal, necessary Canadian standards and I think we have a higher population of that in the Yukon Territory possibly than in any province in Canada.

Mr. Watt: I have a question I would like to direct to the Commissioner, Mr. Chairman? Now we have some items that are recoverable from the 50% such as clothing in Primary 88. Is that recoverable? Out of $12,000.00 - $6,000.00 recoverable from the Indian Affairs Branch and I think this is roughly a rule of thumb - welfare 50%. Now we have an item here -Administration, 175 - that should be 50% recoverable too. It is our Administration that is handing out all this money. We are bearing 100% of the cost of the administration and the Federal Government is giving us back 50% of the actual cost of a pair of boots - it doesn't pay for any of the cost of handling the money or the administration of this - it is just the cost of picking up the bill for the boots - it doesn't pay for the negotiation of it or anything else and I'd like to suggest that these figures that we have on welfare, they don't mean a thing. You might as well pick a million dollar bill out of the air as far as allocating responsibility where it should be is concerned. These figures don't mean a thing. Actually the Territorial responsibility mostly, unless the Federal government is no longer assuming responsibility for the natives, partly, and right now they say they don't assume responsibility ... but I disagree with them-I think that they should. I think we should sit down at a table and iron this thing out. You can't ask 6,000, 7,000 or 8,000 people to support another 5-6,000. And the Federal government is getting away from their responsibility - if there is not provision in the new Five Year Agreement for something like this and I brought it up before the agreement was negotiated and I brought it up in Ottawa and these figures don't mean a thing. And we do have responsibilities towards individuals. It is part of our responsibilities as Territorial Councillors to see that children and those that are in need are taken care of but this overhead, for every dollar that is -actually goes to where it is needed I believe that fifty cents of it goes to make sure that that dollar gets there. I think it would be cheaper for example, I think it would be cheaper to legislate a policy for Widow's Allowance than it would be the way they are doing it now. It costs them roughly $10.00 to look behind the kids ears to see if they are clean to see if they need Widow's Allowance - to give them a $5.00 bill. They just go ahead and give this through legislation without all this administration of it and then the money goes to where

it is needed - it goes to the widow. Now it is being eaten up in the Federal building, and a lot of this is Federally initiated such as the Canada Assistance Plan and I understand there is supposed to be legislation on this at this session and can we expect that this session?

Mr. Smith: Mr. Chairman, I would have to refer to the paper that I tabled for Council - whatever was indicated on that paper I have no knowledge of any change in this regard.

Mr. Taylor now resumes the chair.

Mr. Chairman: Is there anything further gentlemen?

Mr. Watt: There were two questions I asked the Commissioner. One was (a) this cost to Administration of $175,000.00 is that shareable, recoverable 50% from the Federal government?

Mr. Smith: Not as an item - you are absolutely correct on this. This is the whole question - it not only applies to the Welfare Vote, Mr. Chairman, but it applies to any other parts of our activities here where we become involved as agents of the Federal government and doing certain things and if you will remember, this was a subject of conversations in Ottawa where we asked the Federal government to institute a complete study of the total fiscal relationship between the Territorial and Federal government because I think we all agreed that it was a patchwork quilt which had built up over the years and in most instances is no longer applicable to the day to day activities between the two governments and it is nowhere more evident I think, to all concerned than here in the Welfare vote and quite frankly, Mr. Chairman, the questions the Councillor raises are very right and very proper. And the only alleviation that is immediately available to us under the provisions of the Canada Assistance Plan where there will be some changes in the formulaes that are used and they will work to our advantage in this particular case.

Mr. Watt: Mr. Chairman, if we ever sit down and negotiate this thing with Ottawa we are in a position where we send a bunch of amateurs -inexperienced people- and go down there and sit with some experts who are dealing with the problem and if we do this again we should put something in the budget and hire somebody that is his business to sit down and negotiate with the Federal government and work these things out. Just stand there toe to toe and eyeball to eyeball and just work this thing out because people down there aren't amateurs and we are negotiating with these experts that are negotiating with provinces and they are full-time employees and know how - all the ins and outs of these angles and we are at a disadvantage- complete disadvantage and we should, when we want an engineering job done we will hire an engineer if we want a financial matter worked out with respect to a particular thing we should hire an expert to act on behalf of the Yukon Territory because it is money well spent and it is going to be-money that the taxpayer of the Yukon Territory is going to get back a hundredfold.

Mr. MacKinnon. I would like to ask the Commissioner his views in regard to this Department being what they call a confidential Department. Now, being elected members and being sworn

VOTE #15

Mr. MacKinnon continues:

to secrecy, I might say, is there any reason for keeping these things away from the elected members that are sworn to secrecy? I just cannot follow the thinking of administration when they say well this is confidential, you can't see it. Do you feel that this is proper.

Mr. Smith: Mr. Chairman, I would want to be referred a specific instance and I would say this to you, gentlemen, that individually as elected members I would see no reason why you should not be given access to what is going on in your administration but likewise as far as tabling any of these matters that are looked upon as internal and confidential nature at the council table they are no longer confidential matters once they are tabled here at the council table - they are in the public domain. And there is a difference. Now, if the Council, any particular Councillor at any special time wishes to be appraised of anything that is normally looked upon as being confidential and isn't available to be tabled at the council table I will certainly take a real hard look to see why it cannot be revealed to the councillor as an individual and as an elected member but that is an entirely different matter than tabling it here.

Mr. MacKinnon: This is what I'm getting at Mr. Commissioner. Having received many documents that say confidential and seeing that trust was put in the councillors, and I believe this question arises from a question put by Mr. Thompson a couple of sessions ago, and the reply given at that time was that it was strictly confidential and we could not be taken into that confidence.

Mr. Chairman: Well, gentlemen, in view of the time I think we will stand committee in recess until two o'clock.

ABSENT - COUNCILLOR WATT

Mr. Chairman: Gentlemen, we will now call Committee back to Order. BUDGET - VOTE 14

Mr. Boyd: Mr. Chairman, so that I won't have to interupt the hot discussion later on, I am due to leave here about 2:45 p.m. to be on a Committee that you kind enough to appoint me to and I would ask for leave of absence from now until Monday morning.

Mr. Chairman: Does Committee agree?

All: Agreed

Mr. Chairman: I will so report in my Report back to Council.

Mr. Shaw: May you have a safe journey, Mr. Boyd.

Mr. Chairman: This is until Monday morning is it?

Mr. Boyd: I would say just half an hour. Enough to cause a little bit of trouble.

Mr. Chairman: Alright gentlemen, have you anything further under Administration, General, Welfare Vote 6?

Mr. Boyd: I have one final thought on this for Administration. It seems to me Mr. Commissioner that there is an awful lot of duplication. In the Bookkeeping alone, I can see one department checking out and doing terrific work. Another department getting the same work and doing the same checking and this and that. And it seems to me that Administration could well consider an amalgamation of some kind and do something about this. This would certainly cut down a lot of expense of some kind along the line somewhere. I am positive of this.

Mr. MacKinnon: Well, Mr. Chairman, in view of the comments that have been made this morning, I have a question for the Commissioner, and I will ask the Commissioner if he will kindly submit to Council the largest amount paid out to any one person in the Yukon Territory under Welfare. And, I am not interested in the person's name.

Mr. Boyd: Well, is it for a year or for a month, or what year and when, period.

Mr. MacKinnon: (Inaudible)

Mr. Commissioner: I think we could come up with that information quite satisfactorily and quite easily Mr. Chairman, and if it is Council's wish that they would like to have this information, I would be very happy to do my best to get it for you.

Mr. Chairman: Gentlemen, does Committee agree to this proposal?

Mr. Boyd: To any one person, I am not quite sure, did you mean to any one family? What are we trying to get at?

BUDGET - VOTE 14

Mr. MacKinnon: To any one person, Mr. Boyd. Person.

Mr. Southam: Well, Mr. Chairman, what are you trying to prove. This is what I would like to know. What are we trying to prove here anyway?

Mr. MacKinnon: Mr. Chairman, I think this is very simple. I mean we are talking about very close to a million dollars and I see we get into great drawn out discussions over $10,000.00 and $2,000.00 at times. And, we talk about levying taxes on rooms and increasing the price of liquor to take care of expenditures that doesn't amount to one quarter of the amount we are discussing. I think this is a very important subject and I think we should try and work our way to the bottom of this and see could this particular item in the budget be cut by say one third. This would be a great advantage to the Territory.

Mr. Chairman: What is your disposition, gentlemen. Do you wish the Commissioner to get this information for Councillor MacKinnon?

Mr. Shaw: Well, Mr. Chairman, I don't see--if you want the information, I don't think it would be too difficult to get although I honestly can't see the point in this. If he wants the information then maybe he sees the point and I don't.

Mr. Chairman: Do you gentlemen agree? Well gentlemen, I am going to have to levy your direction.

Mr. Boyd: Excuse me. With all due respect I am lost, Mr. Chairman. Because you say to any one person. Now, I can name you a person who will be receiving a welfare check with ten children...

Mr. MacKinnon: Name him.

Mr. Boyd: No, I won't.

Mr. MacKinnon: I thought you said you could.

Mr. Boyd: I could. There are several people with ten children in the family in this Yukon. Some of them are right in your district. Most of them by and large. Now, to answer the question here, you are asking for one thing without asking for how many people does that support. Your question becomes a little bit bewildering to me as to what you will gain by it.

Mr. MacKinnon: Claification on the question, Mr. Chairman. I did not ask Mr. Boyd the question. I asked Mr. Commissioner. And I believe he should be capable as to making up his own mind as to whether he should answer or should not. I don't believe this is a matter for Council.

Mr. Chairman: Well, gentlemen, I am going to have to have your concurrence one way or another before Mr. Commissioner embarks on such a program. Do you gentlemen agree that this request be considered a question?

Mr. Boyd: One man, one person?

Mr. MacKinnon: Mr. Chairman, would you like for me to repeat the question. I have repeated it three times already. Mr. Boyd, maybe I could put it in writing and hand it to you. Or would you like to play the tape back?

Mr. Boyd: Well, if you are asking for the opinion of Council I am not in favour of it. Because it's a lot of work and unless I can see what can be gained in this thing then--you are not concerned about the name. When you get the answer you won't know whether the cheque is providing for five men, ten men or ten people or whatever it may be. So it's ambiguous.

Mr. MacKinnon: Well, I don't follow you Mr. Boyd. The Commissioner has already consented to answering the question and now you are questioning as to whether he should or shouldn't. He said he didn't foresee any obligations in presenting this information, and I don't know what your concern is Mr. Boyd.

Mr. Shaw: Mr. Chairman, I think this will straighten it up a little bit. This, Mr. Chairman is really something that should be a question under production of papers. That's what it should be. And, I think there is latitude in allowing the question in Committee that comes out like this. It's usually a twenty-four hour deal. And, I think it might help matters if Mr. MacKinnon did explain to Mr.Boyd whether this is for an individual or whether it is for a man with a family. That's what Mr. Boyd wants to know. The information I think.

Mr. MacKinnon: I don't know just exactly how to explain this. I think I have got as plain as I can get by saying the largest amount paid to any one person. Now one person, any one person. Is this--how do you interpret this Mr. Boyd? I can only interpret this in one manner and that's any one person. A person such as myself or any other individual.

Mr. Shaw: Mr. Chairman, the member might have ten children and a wife and it would still be made out to one person. That's all Mr. Boyd wants to know. Is it an individual or a family.

Mr. MacKinnon: Well, Mr. Chairman, may I ask the Commissioner if he understands the qusstion?

Mr. Commissioner: Mr. Chairman, as I interpret, the Councillor is asking here--he is looking to find out what the largest annual total that we would pay to an individual as an individual. I am assuming this is what he means. Not payment to an individual to cover a family.

Mr. MacKinnon: Correct, agreed.

Mr. Chairman: Do you gentlemen agree that Mr. Commissioner get this information: Would those in agreement please signify. Would those contrary please signify. Mr. Commissioner, I am afraid you will have to dig up this information. Now, gentlemen can we get back to the budget. Do you have anything further on Administration Welfare Vote 6? Then may I proceed.

Mr. Commissioner: Mr. Chairman, if you are going to pass that vote I have a couple of answers here in connection with questions you answered earlier this morning. I think while Mr. Boyd is here, may I have your permission to answer them before you carry on to the next Vote.

Mr. Chairman: We still have Vote 16 to complete. We just got to the Administration section...proceed while Mr. Boyd is here.

BUDGET - VOTE 14 MATCHING GRANT FUND

Mr. Commissioner: The question was asked this morning as to how much money was actually used in the matching grant funds--$7,191.11 is what was paid out under that fund in the last fiscal year. And, you asked about the question of living accommodation under travel and publicity. At the time the budget was made up we did have a person from Travel and Publicity living in a government home on which the economic rental was being recovered and for which the funds there would take care of the necessary expenses. And the recovery item of course is not listed in the budget. At the present time the home in question is not being used by travel and publicity, but it is anticipated that it will be. The question of fuel oil and wood. The item under the Vote 14 Primary 64 covers fuel oil and wood at the Whitehorse Library and fuel oil for Dawson Library and 1966/67 expenditure for this fuel in both places is approximately $3,500.00. It says here it exceeds $3,500.00 so I am assuming that this means it would be $3,500.00 plus, but not $3,600.00.

ACCOMMODATION, TRAVEL & PUBLICITY

VOTE 14 PRIMARY 16

Mr. Shaw: Mr. Chairman, would Dawson be the only library the government maintains besides the Whitehorse Library?

Mr. Commissioner: Well, we are using space in other buildings more or less on should I say a free-gratis basis, Mr. Chairman. For example we are getting the use of the Resources Building down at Watson Lake and we are not charged any fuel or maintenance for this. In other communities we are able to use school rooms where we are not necessarily charged any specific sums of monies for the buildings.

Mr. Boyd: I think we are using a hotel at Carcross as a library on a free gratis basis.

Mr. Commissioner: Yes, yes.

Mr. Shaw: Well, this Mr. Chairman, it's about...for a library to heat it up anyhow for a liquor store, so I don't know how much we pay in addition for the library except we are putting it on another vote and it would be an infinitive amount compared to the $4,000.00.

Mr. Commissioner: A one man majority of this sum is used right here at the library...

Mr. Shaw: It seems to me they will put down the Dawson Library as only one-tenth and leave out the Whitehorse Library that uses most of it.

Mr. Chairman: Are you clear on that point, gentlemen? Mr. Commissioner do you have anything further?

Mr. Commissioner: No, this is what I have answered to here at the moment. There are one or two points left over from yesterday and I have the Treasurer working on this.

Mr. Chairman: Gentlemen, Page 7, Vote 15 - Welfare, Child Welfare Services $131,961.00.

Mr. Shaw: In this respect, Mr. Chairman, this I presume is mostly foster home care?

Mr. Commissioner: That is correct.

Mr. Shaw: When they instituted this type of care, the Welfare Department was most emphatic, that this should be

Mr. Shaw continues...

in foster home care. And there are many instances where the foster home is not a great deal better than where they were the first instances. And it is not through any fault of the Welfare Department. It's just what is available, and I at the time felt it was better to have a small hostel for this particular service, and the Welfare Department I think Mrs. Ridell at the time. I think this was four or five years ago and said this was the only thing with the foster home deal and I couldn't say that I agreed with her at the time and I still don't. However, I did understand that following that they had second thoughts on this foster home business and perhaps a hostel for this purpose would be just a small not necessarily a large place, a small place would be more beneficial.

Mr. Commissioner: I don't think this is published here in the operating section. I believe this is an item that comes here as the children's group home. This is the item here. And you are going to be called upon in the capital section to take a look at whether or not we are going to go on his workings. But there is something I want to point out to you Mr. Chairman. You are no doubt going to be talking about this at greater length. But, division of staff for this type of hostel accommodations. This is the question. Now, it is all very well for us to sit around this Table and vote funds and collect taxes and build these buildings and everything else but they are only as good or as bad as the people that we are able to recruit to operate them. And the number of dedicated people that are available to do this type or work are becoming less and less as the days go buy. I simply bring this to your attention, gentlemen, because don't think that just because we are going to out of the goodness of our hearts provide capital funds and operating costs that this is the end of the proposition. This is not and it is far from it. And the boys and girls in question who need this type of care need very, very special care. I don't mean hospital type care. I don't mean it in that sense. They are disturbed through possibly coming from a broken home. They are--their nerves are on edge. They almost are in a position where they need mental care more than they need anything else and it is very difficult to find a place of a dedicated person prepared to give them this type of care.

Mr. Shaw: I agree with that very much and the sad part is though that where the parents will be held up in jail for about two weeks when they take the children, and then they get out and after the child has had good care for two weeks or three weeks or whatever the thing might be, then of course they go back to exactly the same environment. It's a very stop-gap measure and very sad and I suppose that's about all that can be done. Unfortunately it leaves much to be desired.

Mr. Commissioner: Mr. Chairman, don't let us find ourselves in a position where we are taking one segment of the population and trying to get them out of their homes, and on the other hand we are trying to take another segment of the population and trying to keep them in their homes. Now, we have to try and be consistent. On the one hand we are trying to keep the boys and girls in their homes by providing as high a grade school level in their communities as we can and keep them in their homes and on the other hand

BUDGET - VOTE 15

Mr. Commissioner continues...

we are talking about building centralized facilities where we feel they are going to get better care. Now one argument doesn't hold water in the face of the other, Mr. Chairman. And I simply put out these thoughts to everybody's thinking so that they can give it a lot of soul searching and investigating before we come to face the problem in the capital side of this budget in connection with this children's school home and also the school hostel situation. It calls for a lot of very, very serious consideration.

Mr. Southam: Well, Mr. Commissioner, I certainly agree with you. I am a foster child, so to speak, and also was raised--started out in a home through none of my parent's fault. Also I started at a very young age and so on. And I could assure you gentlemen, that it is not very easy, and anybody that is dedicated to raise foster children are few and far between. That is what I call dedicated people. Now, a foster child has my sympathy from a way back, and I know a lot of the things that they--the way they feel. And, I have every sympathy for the people that are trying to do the best to bring this about. I don't think myself while the hostel side of this looks good, that they plan. I don't think this is the answer. Personally I don't think this is the answer. The foster home if you can get it would be my ideal of this. Now as you know a couple of the children, Mr. Heatherton used to be Superintendent of the Mines of the Carmacks Coal Mines and took a couple of these Indian children. And when he was--the last thing he said when he passed out was don't let these children go back. And, these two children are with Mrs. Heatherton in Edmonton today and doing very well. Now, this is a wonderful opportunity for those two kids. Now, this is--you don't get people like that every day. Now this is one of the things about a good foster home and I will say this for myself too that I had a good one...and I came through a foster home myself.

Mr. Shaw: I agree, Mr. Chairman, with this particular thing. But I am talking about--I am referring to this two weeks' proposition. They have the children for two weeks and then the parents get out of jail and they go through the same performance all over again. If we could only get some solution to that.

Mr. Chairman: Are you clear on Child Welfare Services? Next is Social Assistance $1.00.

Mr. Commissioner: You have a new set of conditions coming in there Mr. Chairman that are going to bring about an entirely different...

Mr. Chairman: Social Assistance on Page 10, Social Assistance $155,575.00. Are you clear on Social Assistance $155,575.00?

Mr. Boyd: No, I am not Mr. Chairman, because I see an increase of $50,000.00 in it over last year. Now, if this is from another account or something, that is fine. But, I am wondering if this is what I think it is. We have been lending money to those on Unemployment Insurance and because the office is in Pringe George, we would loan them money and when they got their cheques back they would pay us off. Now this may be one of the reasons, but if it's not can some body tell me what the increase is for $50,000.00 or why?

Mr. Chairman: Gentlemen, it might be noted that 50% of this is recoverable under the new Canada assistance plan.

COUNCILLOR WATT PRESENT

Mr. Commissioner: Well, what you are faced with here--it really must be very obvious and that is that you have a segment of the population who by virtue of their age are requiring social assistance who have never had to have social assistance before. And, if you take a look here to that particular page 11 and 12 you will see that it doesn't take very long to add up to tremendous monies that are involved here. Now the first item here is transportation. So we take creation of destitute non-residents by agreement with home provinces and where circumstances warrant we take creation. In other words some of us wind up destitute down in Quebec after visiting Expo and we have to get assistance to get home. The consistent part of this social allowance is including supplementary allowances to pensioners by cheque. In other words this is supplementary to, supplementary assistance to pensioners to give them proper subsistences. Food orders in stores. Yukon residents in provinces who are the financial responsibility of the Yukon. Maintenance for aged pensioners in senior foster homes and also hotel accommodations for certain aged persons are considered advisable when no other suitable accommodations are available. Indigent residents and transients in local hospitals, temporary assistance to them. For this item here we have got $74,000.00.

Mr. Chairman: It is also noted gentlemen on Page 12 the increase...

Mr. MacKinnon: Mr. Chairman, I would like to ask the Commissioner, does this apply to a Councillor as well?

Mr. Commissioner: It says here, non-residents by agreement with home provinces, so I am assuming that we have an agreement with the Province of Quebec and you would be classed as a non-resident there but the fact that you are a Councillor Mr. Chairman, would kind of decide it.

Mr. Chairman: Gentlemen, could we proceed with the discussion at hand please?

Mr. Shaw: The Councillor would come under the retarded children's section.

Mr. Commissioner: Gentlemen, this in all seriousness, this is a very, very important part of your budget and is going to continue to rise at an ever accelerating pace and we are called upon to provide more and more domiciliary care for the aged citizens. This is an unavoidable and inescapable situation and remember this that the people who are in turn looking after these people are in turn becoming more costly to us just the same as any other employed person, Mr. Chairman.

Mr. Shaw: Well, Mr. Chairman, I think that we should certainly look after the old people, children and the people that are not able to work, but there are...

Mr. Chairman: Order, please.

Mr. Shaw: But there are people that are quite capable of working, but you have one heck of a time to get them to work.

BUDGET - VOTE 15

Mr. Shaw continues...

It's very unfortunate that the Federal Government won't change their view-point in giving this assistance that permit the money to be used in the form of having the people do something in the form of a public service nature and pay for this assistance which they receive. The Federal Government in giving this grant have declared the fact that there is no work to be performed for this so they can get it. And, I think that is a very bad mistake. In fact other provinces have destroyed this particular section with the Federal Government's insistence that no work be--that no clause be attached to it performing work and that's the way it is. I think if we gave a man a job to do to get this assistance up to a certain amount each week or each month that they would feel better because some of them for various reasons they just have to get this assistance. And, many of them would be quite prepared to work for it. It is unfortunate that adult opportunity isn't here because it would give them a little more dignity in paying this.

Mr. Chairman: Well, gentlemen, are we clear on Social Assistance? Next is Old Age Assistance $17,323; Next is Blind Person's Allowance $7,000.00.

Mr. MacKinnon: Mr. Chairman, on the Old Age Assistance, just one thing I am concernead about and that was we have several different types of assistance cheques. Now, for instance we have a native that needs assistance at the age of sixty. Being a Territorial revenue cheque, I am wondering if this is at all recoverable. It doesn't really explain this.

Mr. Commissioner: Well, now, Mr. Chairman, we would have to know under which program he is getting this and then we would know if this is recoverable or not. Because under the terms of your Primary 87 on Page 13 you will see what is transpiring here. This is an ever diminishing situation here and will be wiped out, in the very near future.

Mr. MacKinnon: Well, Mr. Chairman, having cashed a lot of these cheques I often wondered just where they come from and just how much it is actually costing the Territory instead of the Indian Department. And I know the people need the assistance and I am all for them having it. But, seeing they are a Territorial revenue cheque, it makes me wonder if we are recovering what we are paying them. This is the point I am trying to make.

Mr. Commissioner: I think we can get an answer to that. And you say these would be the people who are under 65 years of age. Is this the question?

Mr. MacKinnon: Yes, Mr. Commissioner

Mr. Boyd: And a true native?

Mr. MacKinnon: Yes, Mr. Boyd, that is correct.

Mr. Commissioner: I think we can determine this.

Mr. Chairman: Are you clear on this item, gentlemen?

Mr. Shaw: I have just one question, Mr. Chairman. I am of the understanding that these homes for aged people are

Mr. Shaw continues...

available to the aged Indian people the same as any other people. It may be recovered from the Indian Affairs Department, but they are eligible.

Mr. Commissioner: Well, I have no knowledge to the contrary Mr. Chairman. I have no knowledge to the contrary.

Mr. Shaw: Well, I just mentioned that because I thought it was, but I don't recollect whether there is one staying in an adult institution.

Mr. Commissioner: Mr. Chairman, wasn't there a native Indian name in the hospital, you know, the old men's home section in Dawson, this winter?

Mr. Shaw: They may have been in the hospital, Mr. Chairman, but what I am referring to, is what did you call this one here and that type of thing.

Mr. Commissioner: We will find this out.

Mr. Chairman: Next is Blind Person's Allowance $7,000.00; Disabled Person's Allowance $3,000.00; Alcoholism Services $16,917.00.

Mr. Shaw: Mr. Chairman, have we any way of knowing how this worked out. Have we any statistics to indicate those that have been rehabilitated? There is none available.

Mr. Commissioner: Certainly we couldn't tell from the liquor sales, Mr. Chairman. They keep on going up. I think that it is right that we should have a report tabled for Council on this particular service Mr. Chairman and I will proceed to get one.

Mr. Shaw: Thank you Mr. Chairman.

Mr. Chairman: Are you clear? Next is Welfare Training Grants and Bursaries $6,000.00; St. Marys Nursing Home $119,101.00; Senior Citizens Home Whitehorse $38,248.00.

Mr. Commissioner: This will be coming up under the capital section, Mr. Chairman.

Mr. Chairman: Next is Senior Citizens Home Whitehorse $13,182.00.

Mr. Commissioner: This is the one that already exists Mr. Chairman.

Mr. Shaw: I have a question Mr. Chairman on this senior citizens home. I see that this is a new ... which is probably very good where they are having feeding facilities that will mean that these rooms will not have the cooks stoves and cupboards and things like that like they have now.

Mr. Chairman: Are you clear on this item gentlemen? Senior Citizens Home-Dawson $4,577.00; next is Children's Group Home #1 $14,760.00; Are we clear? I believe this also comes up in Capital, gentlemen.

COUNCILLOR BOYD LEAVES COUNCIL CHAMBER

BUDGET - VOTE 15

Mr. Chairman: Next is Welfare Staff Residence-Whitehorse $1,821.00; Next item is Dawson Welfare Office and Residence $1,927.00.

Mr. Shaw: I wonder what the decrease was there. It's almost a $1,000.00 which is very good. Or did they just have it over estimated before?

Mr. Commissioner: Well, it doesn't give any indication as to what the decrease was so to speak of. But possibly the price of electricity and things like this is coming down in Dawson, Mr. Chairman. And this might have a slight bearing on the situation.

Mr. Shaw: Well, Mr. Chairman, I don't see the price coming down that much.

Mr. Chairman: Well, gentlemen, if you will notice in Primary 62, 63 and 63 you will see your difference there.

Mr. Commissioner: Not only that, Mr. Chairman, I will point out to you that expenditures in past have been running in the $1900.00, $1,800.00 category.

Mr. Chairman: Are we clear? Next is Nursing Home Staff Residence-Dawson $1,976.00; Watson Lake Welfare Office and Residence $4,168.00; Juvenile Detention $21,665.00; Probation Services $77,582.00.

COUNCILLOR SOUTHAM TAKES THE CHAIR

Mr. Taylor: Well, Mr. Chairman, it is at this point in the Welfare Budget I did want to raise some questions and that has reference to the operation of probation service. From what I can gather, this thing is operated on a pretty shaky basis if my information is correct. And, I am wondering why or whether in fact it is advisable to move probations from corrections and putting it in Welfare. From what I have been able to gather, I know no where else in Canada that this is done, and I am just wondering if some second thoughts wouldn't be given to putting this back into corrections department where it possibly belongs.

Mr. Commissioner: Well, gentlemen, first and foremost, I think that you are probably well aware without me telling you again that I am here at the Corrections Program at the point in time when to say that it was not in very good shape would be putting it pretty mildly. I found that the man who was effectively hired as the chief probations officer had been temporarily put in charge of the corrections program under him he has three men who have been effectively hired from the physical plant of the corrections program namely the medium and the minimum securities institution. And, as we agreed in Council last fall the same had to be-- done something to get it back within the confines of our ability to operate. In other words, we were going to be faced with approximately an $850,000.00 annual operating budget. We didn't have housing to house the people of the calibre that were originally anticipated to bring in in this thing, and something had to be done. So, my immediate approach to this was to study this as much as time would permit, and see what could effectively be done. After I had studied this thing for a while it became very apparent to me that the problem of running the physical plant--the medium security institution and the minimum security institution were very little related to the probations services,

Mr. Commissioner continues...

and it's grossly unfair to expect a man who was hired as a probations officer to be in charge of this particular program. So the next thing was to what this probation services was costing, what it was doing in relation to the case load, or the work load. The very question Council has been asking here in connection with the Welfare Department. I found that we had four people on the Probations staff and that they had a case load that was so ridiculously low that was to be very, very,--there was just no justification for four people doing this kind of work, or amount of work. Not the kind of work, I don't mean to infer that. I next started to look to see where the case load was coming from. From what segment of the population, was this a hard core criminal element that they were dealing with or just what was it. I found that the probabions people were in effect an arm of the court. In other words they were taking their direction as to what was being done and who was to be reported upon and not by any or one person on our staff, but by the people who are a staff of the court. Namely the police, magistrates and judge of the Territorial court. So, it certainly appeared to me to remove the probations services from the physical environment of the corrections institution was the proper thing to do, and I certainly couldn't see we could maintain the four people plus stenographic help and office space all by themselves to handle the case load which was very, very light. I hesitate to quote the numbers here now, because, I don't have them right at my finger tips accurately. But, it was a very, very light case load that they had. So, Mr. Hawthorne intimated that he did not wish to stay with the situation any longer, and it left us with effectively three probation people who as I say get their direction and basically speaking get their work load from the court. I also found it was impossible for these people to do court work away from Whitehorse. In other words if you were going to be a probations officer you couldn't spend all your time travelling from point to point in the Territory. And this led me to put the probations people, there were three of them at that time, into the Welfare Department because we then were able to use administrative services of the Welfare Deaartment, and also we were able to get the use of the welfare workers in the outlying areas to do the probations work that was required then. Now, I think there was one particular point in question that arose at the Council table last fall in this connection, and that was in connection with I believe with truanting in the school system and we have been able to effect very tremendous economy and effeciency in regard to getting truancy and probations work done in the outlying areas through the welfare workers while leaving the probations people free to do probations work here in Whitehorse under the direction of the court. And, as to whether or not this is the thing to do after we get the corrections program under way, I am not prepared to say. I certainly would feel that at that point we should be taking a second look at it because we will then be in a position to possibly locate these people under the total corrections program. But, remember we do not have this program now and if we are going to institute administrative services and everything else in connection with this thing we are going to be right back in the same position as we were before we got the corrections budget chopped from about $850,000.00 down to $480,000.00 or whatever it is right now. I say this to you gentlemen that I have taken the course of action that I

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Mr. Commissioner continues...

feel was the best under the circumstances, but I would not want anyone to feel that I have predetermined that this is where it is going to stay forever in the day. I don't think that this would be the right attitude. I do feel that it is rightfully placed at the moment to give effect to the program that we want to have under economic conditions that we can afford to pay. But I certainly would not want anyone to feel that this was any kind of a final decision under any circumstances.

Mr. Taylor: Mr. Chairman, I thought last fall when this was disucssed this may be a pretty good idea too. But I have come to change my mind in respect to this. I have talked to a couple of parole officers that have left, especially the people that have resigned. I don't know how many parole officers we have lost since this was implemented.

Mr. Commissioner: We had four, gentlemen, we are down to two and they don't even have a full work load.

Mr. Taylor: But in any event, most of the people who did resign expressed great dissatisfaction with the moving of this over to welfare from corrections and they felt very strongly that as in other places in Canada, I guess all other places in Canada that this is more related to parole and rehabilitation and this type of thing. And this was actually part of the corrections program and they feel that it should have been left to corrections and consequently they for one reason or other have left. I am wondering if it isn't possibly worthy of considering putting this back into the corrections program because it would form an important parcel of it. I would frankly like to see what kind of work load they do have and how they operate and so forth. But, I think serious consideration should be given to the moving of this back.

Mr. Shaw: Mr. Chairman, the way that correctional program was going last fall, I think some of these people should have resigned a lot sooner. The amount of money this was going to cost us is just fantastic. I am sure happy to see this getting down to something that we can at least chew on. So, it may not be the perfect answer mixing these people up with probations--welfare--I do feel that the amount that we have here and when we started this program that we are not in a position to have a full time operation and I certainly concur with the actions that have been taken. Lets try it out and see how it will work. If it doesn't work in the two years time, there will be time to change it, it's not unchangable. But in the meantime it seems to be an economical program and as has been stated the work load is relatively small so that after all we are spending money here and it certainly is not money that can be wasted. We have got to get the most effective use out of what we are doing. And if we can incorporate another department with another and if it works anyway efficient at all and save money and produce good results I think that that is a good thing.

Mr. Chairman: Do you have anything further to say, Mr. Commissioner.

Mr. Commissioner: No, only to say Mr. Chairman, that we

Mr. Commissioner continues... BUDGET - VOTE 15

have taken the whole corrections situation and it is down now to a minimum staff situation. In other words we do not have any big administrative staff or management in connection with this. In other words it is a total working operation and I would hope that Council would see fit to go along with my actions in this matter. That we are going to get the physical plant in operation and then take our next step with regard to getting an overall head for the total corrections program and then pull the probations people back in under that. I couldn't agree more, Mr. Chairman, that these people rightfully belong in the rehabilitation department. These people are officers of the court. They take their instructions from--I won't say their instructions, but they take there work load--comes from the court. In other words the court asks for a presentence report on someone and it is up to the probations branch to supply that information to the court. And then the person is put on probation and it is up to that officer to see that the necessary terms are carried out or conversly report to the court that the person is not living up to the probation, and it is up to the court to take other action. This is the way this thing works. And believe you me gentlemen, no one has spent more time in the past six months trying to find out how this thing works and how it should work than what I have. I don't say I know all the answers to it, but I do say this to you gentlemen, that I feel we are at least getting the thing at the moment into something that is handleable as far as the Territorial budget is concerned.

Mr. MacKinnon: Yes, Mr. Chairman, I did make a point of this parituclar instance when we discussed the sessional paper some time ago. And I am very glad to see that Mr. Taylor is taking more or less the same stand as I intimated at that time, and also the Commissioner realizes that this should be watched very closly . I am not going to go directly against this, but I believe we have got quite a conflict here. And, I do believe it should be watched very closely by administration and separate these two departments as soon as possible, because it is a very, very poor situation as it stands.

MR. TAYLOR RESUMES THE CHAIR

Mr. Chairman: Anything further on probation services gentlemen? That gentlemen, I believe is your Vote 14. Is there anything further on this? Vote 15, pardon me. Next is Vote #16, Public Administrator $16,972.00. Are we clear on this? VOTE #16

Mr. Shaw: I am just wondering Mr. Chairman in this Public Administrator affair, is there any place at all where they can keep the effects of deceased you know a room where they can keep the goods and chattels that belong to the deceased prior to disposal of the same.

Mr. Commissioner: Well Mr. Chairman, could I ask Mr. Legal Advisor if there is provision for such a suppository. I an not aware.

Mr. Legal Advisor: I don't think there has been any change in the practice. Certain aspects such as motor vehicles may be left in the custody of the garage or the police officer

BUDGET - VOTE 16

Mr. Legal Advisor continues...

if it's in an outlying community, or brought into the compound and kept under the eye of the baliff who does most of the leg work for the public administrator. Smaller items may be placed in the vault in this building. And, other items, bonds, jewellery are generally placed in the safe deposit bank here. They are brought in and valued and placed in the bank safe deposit. It depends to a certain extent on the type of article that has been dealt with. An attempt is made not to waste time and money by bringing half it in to Whitehorse which is more logically kept in an outlying community. There is no point for instance in spending $100 or $150 in bringing a $200 truck from Dawson. So you might just as well arrange to sell it down there. Sometimes things are brought in because you can tie it into a bigger auction or if the next of kin have indicated they wish to have this property brought in pending distribution. It's kept as respectable as possible and there is no single room or building or compound where the effects are kept.

Mr. Shaw: Thank you Mr. Chairman, I was just merely asking a question to ascertain something I thought was necessary. But, apparently not.

Mr. Chairman: Are you clear? Anything further on Vote 16?

VOTE 17

Next Vote is Vote #17 and I think at this time we will declare a recess for tea.

ABSENT: Councillor Boyd
PRESENT: Mr. Commissioner
CHAIRMAN: Councillor Taylor

BUDGET:
VOTE #17

Mr. Chairman: I will now call Committee back to order and we are discussing Vote 17: Department of Corrections Administration: $33,942.00.

Committee: Clear

Mr. Chairman: The next item is Medium Security: $295,877.00. Might I ask from the Chair, Mr. Commissioner, what is the target date for opening this institution?

Mr. Commissioner: Well Mr. Chairman, as promptly as we have the in-service training program completed. Now initially we felt that this would take a period of maybe five weeks after it had been going for approximately a week's time. I was there myself and was told that it looked as if it would be about four weeks. This would mean three weeks of this has gone by now and I am very hopeful that I will be able to have an announcement for Council very shortly as to when we will be in a position to start accepting people from the RCMP lock-up.

Mr. Chairman: Might I ask another question from the Chair? Has this matter of catering been resolved?

Mr. Commissioner: Nothing has been done about it. I left word with Mr. Fingland this morning that I wanted to have an analysis made. You know all two sides of the thing and I will be talking it over with the Financial Advisory Committee just as soon as we have some kind of analysis ready that we can get our teeth into.

Mr. Chairman: Anything further gentlemen on Medium Security?

Mr. Southam: I don't see why you should pay $50,000 for a little braid on the Superintendant's cap. $250.00 for his suit. It's on Page 5, Primary 88.

Mr. Chairman: I believe these are uniforms.

Mr. Commissioner: $250 buys them a couple of uniforms.

Mr. Chairman: Anything further on Medium Security? The next item is minimum Security.

Mr. Shaw: One thing, Mr. Chairman, I presume all the Security officers will be in uniform?

Mr. Commissioner: It is certainly the intention Mr. Chairman to put all poople who are part of the Security end of the operation into recognizable uniforms.

Mr. Chairman: Gentlemen have you anything further or may we proceed to Minimum Security?

BUDGET: VOTE #17

Mr. Watt: Mr. Chairman, when does Minimum Security go into operation?

Mr. Commissioner: Mr. Chairman, this is another question altogether. I simply am in no position to answer. Once we have the medium security operation underway we would hope to get going with the Minimum building as quickly as possible after that. However if I would suggest that we are at least two months away anyway from opening the Minimum Security I think I would be about as liberal as I need to be as far as time is concerned.

Mr. Chairman: Clear? Gentlemen that concludes the Department of Corrections. Have you anything else on Corrections? Next is Vote 19: Debt Redemption Loans and Investments - $920,645.00.

VOTE #19

Mr. Commissioner: If there are questions on this Mr. Chairman I would ask that Council have Mr. MacKenzie come in.

mr. Chairman: Do you gentlemen have any question on this vote?

Committee. Agreed. Clear.

VOTE #20

Mr. Chairman: The next item is Vote #20 gentlemen - Capital. The first item is found on Page 7 of Vote 20: Yukon Council: $6,290.00.

Mr. Watt: Mr. Chairman, in future sessions I would like to ask if it would be possible to have installed a telephone in our tea room so that if somebody has to make a phone call they don't have to use this phone or use office phones or go across the street. It could be an extension of this one. I think another thing that the Administration could consider for some time in the future and that is setting up a stenographer for Council when they are in session. We are sending out and scribbling down and doing it at home. I think it would facilitate Council's work which is getting heavier every year. I am not suggesting it should be this session but possibly next Spring session. Council's work load is getting heavier each year and we are adding on one to two weeks a year to the work Territorial Councillors are doing.

Mr. Shaw: I notice a gavel and sound block. I don't think we need that, I think we need a sledge hammer. I don't know what effect that would have.

Mr. Chairman: That's quite correct. I don't think a gavel is used in legislative bodies, not with a Speaker. Anything further on Yukon Council?

Mr. Thompson: Mr. Chairman, Installation of a sound system - would this include as has been mentioned before some type of amplification. I think they need it really for the gallery. There was some comment on opening day that the accoustics were very bad and the honourable members' constituents couldn't hear them.

Mr. Commissioner: There is no provision in these funds for that because at the time the budget was constructed we were not aware that this sound problem would exist in this room and what I think is the proper approach here is to wait until we have the room completely finished and get this sound system in here because this is the one that is the vital part of your proceedings and at that point in time bring in someone who has proper qualifications to give us a proper estimate of what could be done to amplify for listening purposes in the room, a sound system that would not interfere with the sound system that you are going to have for your votes and proceedings.

BUDGET:
VOTE #20

Mr. Shaw: Mr. Chairman, I was thinking of one of these deals that they have for recording in the Courts and at the same time a listening device that you can hear as it records. It also sends out sound in the same manner. This would be most effective as a one unit proposition.

Mr. Commissioner: Well Mr. Chairman we are already committed to the sound system that is used here in the Council Chambers as far as votes and Proceedings are concerned. This is the same one as is going to be used in the Court. It's down in the Court now. You can see it.

Mr. Thompson: Will it be used in more than one place?

Mr. Commissioner: No we are buying a unit that will be used in one place, just in these Chambers.

Mr. Clerk: Mr. Chairman, this sound system is one whereby we will have six microphones taping on to six separate tracks on a tape. We do not expect to have a steno up here taking shorthand notes. The system is this good that it will be direct transcribing. It is a very superior system to what we are using now.

MR. SOUTHAM TAKES THE CHAIR

Mr. Taylor: I think we went all through this some time ago with this recording equipment that the judge is using down here and it's agreed that somebody's got to be with this machine and while this is being recorded there's a stenographer there to note things like two people speaking at once, otherwise if you went by the tape alone you would be beat.. Somebody's got to stay.

Mr. Clerk: Well Mr. Chairman there's a monitor required at all times, but not a shorthand stenographer.

Mr. Taylor: A second thing is that six years ago, the very first thing that Council discussed when I was first a Councillor was a sound system so the people in the public gallery could hear what was going on. And this is one of the reasons that people don't come up to the gallery. It's pointless because you can't hear what's going on half the time and I think every effort should be made in the summer recess to set this thing up, so that when Fall Session rolls around and a new Council steps into these Chambers that all this is installed and functional. I don't think we should wait until next year and next year and so on. And I think just a small amplifier -

BUDGET VOTE #20

that's what I understood this sound system was. You're speaking of a recording system, but we have been asking for a sound system which would amplify to the public gallery and throughout the room what was being said.

Mr. Commissioner. Well all I can tell you is that we have made every effort that has been humanly possible to get a permanent home for Council and now we have succeeded I am sure that the amenities that go along with that home will be obtained and installed to Council's satisfaction as time and funds permit them to be done.

Mr. Shaw: Mr. Chairman, when you are setting up this system I wonder if the Commissioner would look into it - there was a local electrician up here the other day that felt that it could easily be put into that system which is a matter of a very small amplifier in the speaker and it works satisfactorily. If it is as simple as that perhaps the Commissioner would look into it as a fixture that would fit into this other affair.

MR. TAYLOR RESUMES THE CHAIR

Mr. Taylor Anything further on Yukon Council gentlemen.

Mr. Watt. Might I offer one other suggestion. First of all I would like to compliment you on the little library that has been started and I would like to suggest that it be carried on and increased and that a couple of things should be added: a copy of the Votes and Proceedings so that we can readily refer to them and a copy of uptodate regulations and ordinances so that we have it readily at our finger tips.

Mr. Commissioner. There is a considerable amount of material here in the building that we have access to that we are going to get set up here in Council Chambers and it will be permanently here as Council's library for reference purposes and I am sorry that we haven't been able to make very much progress on it so far this session but it's just a matter that time hasn't permitted us, it isn't because we haven't got the material that Council would like to have there. And I can assure you that I am just as anxious as Councillors to see these things there because if we had these things readily available at the table here it would be very advantageous for everybody.

Councillor MacKinnon: Mr. Chairman, I would like to mention at this time: I see the Commissioner comes in each morning with a beautiful folder that he has his sessional papers and Votes and Proceedings done up in and instead of passing this mess of papers around for each Councillor to put in book form I am wondering if it would be possible to provide each Councillor with the same kind of book as the Commissioner

Mr. Chairman: I believe this has already been explained that Council will have this.

Mr. Commissioner: Yes Mr. Chairman we have tried this on as an experiment. I instructed the Clerk after the session last Fall to try and come up with a system to wrap up everything in one bundle and we have this on a experimental basis

and I believe we have four or five of these books on the go and we find that they're quite successful and we will have them available for Councillors at the next Fall session. BUDGET VOTE #20

Mr. Chairman. Are we clear gentlemen? I believe it is understood that this gavel will not be purchased.

Mr. Commissioner. Well let's have the $15.00 there as a cushion!

Mr. Chairman. The next item is Territorial Treasurer and Collector of Taxes: $3,325.00. Are we clear?

Committee. Clear.

Mr. Chairman: Next is Education and we will have to take these item by item and the first item is Education - Road Equipment: $9,500.

Mr. Shaw: Just one thing Mr. Chairman.... these automobiles for travelling, is it necessary to buy large cars for that? A smaller size car, I'm not talking about a mini-Austin but something like a Chevy 2 would serve the purpose as well.

Mr. Commissioner: This whole subject of automotive transport for Territorial employees is under a lot of study and review at the present time Mr. Chairman. I am not entirely convinced that we should be buying automobiles at all. I think we should be leasing them and I also feel that trying to provide an automobile at every location that is required at every hour of the day and night is completely beyond our financial capabilities and I think it's time we had a car pool.

Committee. Agreed.

Mr. Commissioner: And you may find that one of the most immediate results that will satisfy Council from the reorganisation setup that I am doing my best to get put into effect is going to make it possible for these two things to be brought about - a car pool and leasing of automotive equipment - because there are many times that we have need of six or seven over-the-road vehicles and at other times maybe we have only a need of one. Like last Winter we had two over-the-road vehicles that sat outside here and I'm quite confident they didn't move for at least seven or eight weeks. I don't see the point of tying up money in this type of thing. So the whole subject is under a lot of study and re-hashing right at the present time Mr. Chairman.

Mr. Thompson: Mr. Chairman, is this sufficient? Can we leave it in your capable hands or would a motion to this effect be of any help to the situation?

Mr. Commissioner: No. I appreciate the Councillor's interest in this matter but it is certain that as long as I can satisfy myself and in turn satisfy Council, it is going to be implemented

Mr. Chairman: Are we clear gentlemen?

Committee: Clear.

BUDGET: VOTE #20

Mr. Chairman: Furniture, Office & School Equipment: $76,385.

Mr. Thompson: Mr. Chairman I would just like to make one comment at this time. I was going to mention something over here in 2200 Furniture and Office Equipment under the Territorial Treasurer, but I see it is extended and it will probably show up several more times, but where they ask for a double pedestal desk at $250 each for $500, this is fine. These are reasonable desks and quite appropriate but right underneath it it has two executive type swivel chairs at $75.00 each . Now you can get an excellent double pedestal desk at $250 each with a chair and these are quite comfortable and heavy duty, so it would appear to me just in this one item alone that there is an added cushion of $150 and I don't mind one cushion but when you come across another two chairs: $150, another two chairs $150, another two chairs: $150, it doesn't take long to add up. As I say the Administration have a very happy faculty of putting in lots of padding but when it becomes obvious like this I think note should be made of it.

Mr. Commissioner: I have asked the Clerk to get us some invoices up here to see what we are actually paying for these things.

Mr. Shaw: Are these bought locally?

Mr. Commissioner: Mr. Chairman I'm afraid I couldn't even answer that question, I don't know.

Mr. Southam: Mr. Commissioner, I address this to you. Does each department do its own buying, is it done through a purchasing agent or do you have a purchasing department, or is it standard?

Mr. Commissioner: We are operating on an 1897 model in the year 1967 Mr. Chairman as far as our purchasing is concerned. any private enterprise would have gone broke with this purchasing system here years ago and if you take a look at the reorganisation scheme that I have here you will seethat central purchasing is one of the very important items on it because until you get central purchasing and standardization of requirements you are just doing nothing but digging your financial grave.

Committee: Clear

Mr. Chairman: The next item is Senior Secondary School, Whitehorse: $785,000.00.

Mr. Shaw: Mr. Chairman, is that right, that it costs $130,000.00 for the principal's office? #2307 on Page 8.

Mr. Commissioner: Mr. Chairman, didn't I table a paper in connection with this?

Mr. Chairman: There was a paper Mr. Commissioner, I think it referred to the requirement (inaudible)

Mr. Chairman: Yes, that's what I'm getting at, this would break this thing down. It says Principal's office etc. Etc. can cover a lot of things. Well you have got

here to start with effectively ten classrooms in the proposed school here on Page 2 of Sessional Paper #77, administration area 2500 square feet, visual and performing and graphic art areas 1200 square feet and services area 14,000 square feet. So that's what is involved with that $190,000 item there gentlemen.

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Mr. Shaw: Thank you Mr. Chairman.

Mr. Chairman: Are you clear on that one gentlemen?

Committee : Clear.

Mr. Chairman: The next item is F.H. Collins Secondary School, Whitehorse, $88,978.00.

Mr. Commissioner: Mr. Chairman, the next several items here are all for sprinkler systems to bring the fire protection requirements up to reasonable standards.

Mr. Watt: I would like to ask Mr. Commissioner, when we do install sprinkler systems will this reflect on our insurance rates?

Mr. Commissioner: Now this is a rule of thumb gentlemen but the cost of the sprinkler system will be saved in insurance premiums in approximately 2½ years to three years.

Mr. Southam: Mr. Chairman, I don't understand why this sprinkler system wasn't installed when the building was built? It's just been built.

Mr. Commissioner: Neither does anybody else Mr. Chairman.

Mr. Southam: I hope we're going to have sprinkler systems in the new schools.

Mr. Commissioner: You don't have to worry about that while I'm around. You'll have a sprinkler system or you won't have a school. From a businessman's point of view you simply can't afford to build a building of this nature without putting in uptodate means of fire protection. The cost is saved in such a short time in insurance premiums.

Mr. Chairman: Are you clear on the F.H. Collins Secondary School?

Committee: Clear.

Mr. Chairman: Whitehorse Elementary School: $55,590.00; Christ the King Elementary: $25,162.00; Christ the King High School: $13,387.00; Selkirk Street Elementary School: $15,428.00; Takhini Elementary School: $43,515.00. Clear gentlemen?

Committee: Clear.

Mr. Chairman: The next item is the Vocational Training School: $264,434.00.

BUDGET: VOTE #20

Mr. Watt: Mr. Chairman, I take it this is merely a transfer from the Federal to the Territorial Government. I think when the Vocational school system was first set up it was 85% recoverable. Now look at what we've got. There are two little words at the bottom there: Not recoverable. This is one way our budget is growing. It's just a transfer of figures and I object to accepting this. I think the Federal Government should pay a percentage of this and we should remain on the same formula that we were to begin with. This was the way this thing was set up and billed and it was unilaterally changed by the Federal Government. There wasn't an agreement with the Territorial Council. I would like to hear the Commissioner's opinion on this.

Mr. Commissioner: Well Mr. Chairman, to start with the old system of vocation training and its means of financing and method of financing has been changed by the Federal Government. This has had nothing to do with us as a group of individuals; this is something that transpired from the Federal level down to our level. In the second instance capital monies are made available to the Territory for needed projects by the Federal Government on the basis that they finance us the monies and then further finance us the monies to pay these monies back, so as to whether or not there was any advantage in the old formula - now I'm talking about the capital now, not about the operating of the school - I would very much like to have Mr. MacKenzie's comments on this before we decide we have lost an advantage.

Mr. Watt: Well right on the subject that the Commissioner has mentioned there must be a typographical error and on the following item of $80,000 on Capital Expenditure, is that for the vocational school group and shouldn't that have underneath it 100% recoverable?

Mr. Commissioner: Can you tell me which figure we are dealing with?

Mr. Chairman: We are dealing with 2315 - Vocational Training School.

Mr. Watt: And 2331

Mr. Chairman: We haven't got to that yet.

Mr. Commissioner: Mr. Chairman, 2331 is not for the vocational school. This is the dormitory system we are talking about if we are going to go for it in the total school system. But Mr. Chairman I would strongly recommend that we have an analysis from Mr. MacKenzie as to whether or not in fact under the means whereby we get our capital provided from the Federal Government if we are at a worse advantage now with regard to this type of contruction than we were under the former agreement as far as the vocational school is concerned.

Mr. Chairman: Is Committee agreed?

Mr. Thompson: I would very much like this clarified because if this is not the case I would suggest that $201,200.00 be deleted and only leave in the installation of a sprinkler system.

Mr. Chairman: Gentlemen I will declare a short recess while we wait for Mr. MacKenzie.

Budget: VOTE #20

RECESS

Mr. Chairman: I will now call Committee back to order and we have Mr. MacKenzie with us. We are discussing Establishment 2315 - Vocational Training School and Vote 20. Mr. Commissioner, would you proceed.

Mr. Commissioner: Mr. MacKenzie, we're in the Capital Vote, Vote 20 and we're on Page 8 on Item 2315. The question is basically this. We have a capital requirement here for the provisions of certain additions to the vocational training school, certain equipment and the installation of a sprinkler system and you have marked on here "No recovery". Now I assume that there is no recovery under the present Manpower training scheme with this capital aspect of things, however I am wondering if we are under any penalty due to the manner in which the Federal Government is actually providing us with capital funds. In other words although there's no recovery from the Manpower department, are we not securing these capital funds in the same manner as we get all other capital funds from the Federal Government, namely, they advance us the capital and then advance us the money to pay the capital back?

Mr. MacKenzie: That is correct. We are not penalized at all. The position is this, under the new Manpower agreement there is no recovery. Under the old Manpower agreement there would have been a recovery amounting to 50% but in the new agreement that is out, but the fact that there is no recovery from Manpower doesn't stop us borrowing this money from the Federal Government and being given the money to repay the loan later.

Mr. Watt: Mr. Chairman. We are just losing 50% and you say we are losing nothing. Fifty per cent of a half a million bananas that we're losing here.

Mr. MacKenzie: No, we're not losing a penny, we're simply getting it from a different office in Ottawa. Instead of as previously getting it as a loan from the Department of Labour under the Technical Vocational Training Agreement which was in force until recently we are getting it from the Department of Indian Affairs and Northern Development.

Mr. Watt: Mr. Chairman, it says here there is no recovery and so one way or another the Territorial Government pays for it and I think we have to put out of our minds this situation where we can say we are borrowing money from the Federal Government and the Federal Government is going to lend us the money to pay it back. The fact remains the Federal Government had assumed 50 per cent as their responsibility. Now the unilateralists changed this agreement so that we have no recovery, whereas before we had fifty per cent. So we are actually out 50¢ on the ratepayer's dollar.

Mr. MacKenzie: Well that's one way of looking at it but in the end result we get our money, we are not out of pocket a penny. It simply comes from a different source.

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VOTE #20

Mr. Thompson: Mr. Chairman, regardless of where it comes from it is included in the budget and we are being asked to raise taxes to cover this.

Mr. Commissioner: No, on the capital side of our budget there is none of our tax payers dollars going to repay any of this capital.

Mr. MacKenzie: That is true. Not a penny. Any tax we collect is more than swallowed by the operating deficit.

Mr. Commissioner: And that is used in O. and M. It is not used on the capital side at all. This is a very important point.

Mr. MacKenzie: A parallel to this no recovery business is the no recovery arrangement now in force in this budget here for school construction. Previously we have been able to recover or claim from departments of the Federal Government for their pupils attending those schools. Well, that arrangement has been scrapped and we obtain the money as a Federal loan just like this vocational training.

Mr. Watt: Mr. MacKenzie can correct me but I would suggest that anything that is borrowed as a capital expenditure now turns up in O. and M. next year and this is part of our operation costs next year for the repayment of the capital and so our operation and maintenance goes up and this is the part the Federal Government is asking us to tax so it just delays it one year.

Mr. MacKenzie: No, that is not correct, Mr. Chairman. The money to repay this Federal loan does not appear under the operation and maintenance deficit grant section. It appears under a special loan amortization section and as I have said before we are given the money to repay the loan.

Mr. Watt: I can't see how you can call it a good deal. Basically before we were recovering 50%, now we are not recovering 50%. Now we have a lot of items in here which are recoverable and the argument Administration often uses is well, it's a hundred per cent recoverable anyway but now when we don't have any recovery under here, it doesn't make any difference whether it's recoverable or not but the fact remains that it's no longer recoverable and therefore we are losing 50% of the capital cost of this. And is this formula also passed on as far as the M. and O. is concerned?

Mr. MacKenzie: No. This is quite different. We are talking about capital now, and I don't know why the new agreement doesn't permit this formula of 50% recovery.

Mr. Watt: When a new agreement like that is arrived at, does Ottawa just write us a letter and say we have a new agreement or does somebody come and sit down with Members of the Administration and Councillors?

Mr. MacKenzie: Yes, as a matter of fact two representatives from Manpower came here on two occasions and discussed this new agreement with our people. I was not present but they did come here twice.

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Mr. Commissioner: Mr. Chairman, they simply came to tell us what the new agreement was, they didn't come to ask us whether we liked the agreement.

Mr. MacKenzie: That's right, they came to discuss it with us to make sure that we understood what it meant and what we had to do, but as I said before I don't know why they changed the terms of the old agreement which permitted the recovery of 50%, on capital expenditure.

Mr. Watt: There's a few things I would like to discuss with them too. I think that this should work both ways, there should be a working out of figures here.

Mr. Thompson: Mr. Chairman, from what I gather then with regards to what you have said it makes no never mind whether we pass in its entirety Vote 20, it is not costing us anything. Is that right?

Mr. MacKenzie: As a matter of fact that is the case. Every dollar we put in here in capital expenditure is borrowed and is given to us to repay, so you couldn't have a better arrangement.

Mr. MacKinnon: I would just like to mention Mr. Chairman for the benefit of Mr. Watt that I represented him at that meeting and did table a paper as a result of this meeting with these particular men from Manpower, so he was well represented.

MR. SOUTHAM TAKES THE CHAIR

Mr. Taylor: Mr. Chairman, the long and the short of it is, I feel that this item 2315 should be deleted by removing $291, 200.00 from this vote leaving only the sprinkler system to go in the old building. I feel this is something we could well afford to do without for two or three years. We didn't necessarily ask for that vocational school over there in the first place and when we look at the operation and maintenance side of the stick and the Government making agreements between themselves as to what we are going to pay and what we are not going to pay I think the time has come that we should hold this thing down. No doubt in the vocational school there's a lot of good but are we training employees for Yukon industry? I would say not necessarily, I would say a majority of the employees being trained in the school find their way outside possibly where job opportunities are better and I don't feel that the taxpayer of the Yukon Territory no matter whether the Federal Government give him the money to repay his loan, should be saddled with this at this stage of infancy because here it seems to me, if they want to give us $264,000 that they give it to us in what they call a deficit grant. In some cases by some means they do this and then they run to the people of Canada and say what a poor bunch of people they are up there, by God look at all the money we have to pour into the Yukon. So I think we can effect an

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economy by deleting this item and we will save in the operation and maintenance side as I can see absolutely no need for this at this time.

Mr. Shaw: I am opposed, Mr. Chairman, to putting anything like this out. I don't agree with some of the costs here. I think we need a purchasing agent but I would like to state my feelings in the matter that possibly these don't all get employment in the Yukon but they get employment some place in Canada and, after all, it's the Canadian taxpayer's money and in turn we take advantage of having tradesmen up here that have possibly been trained in Calgary or Vancouver. And though I feel that the prices for these different commodities are out of line, this is a matter a purchasing agent could straighten out and certainly I couldn't throw out the recommendations. To my knowledge, this trade school is fairly universal throughout Canada and we just have to provide these things, particularly when we are getting a grant from the Government and it is part of our responsibility to give the people in the Yukon the same opportunities as they have in Vancouver and I am all for this kind of a deal.

Mr. Taylor: Mr. Chairman, I can't necessarily agree. If the Federal Government want to loan us the money to build this vocational training school, why don't they make this 100% recoverable and then take a look at the operation and maintenance side and pay that bill too, or a reasonable cost-sharing arrangement in respect of it like maybe 85:15 with the Federal Government picking up 85% of the cost. I understand you pay 100% of the operation and maintenance costs at this time.

Mr. MacKenzie: No, I would say that is not correct. The sharing arrangements for the operation and maintenance costs are quite complicated and I wouldn't attempt here and now to explain them to you but there are several rates of allowance in force.

Mr. Taylor: This is in relation to the policy of the Federal Government to pay a person to go to school but I am talking about paying the teachers and the operation of dormitories and all the facilities over there. I understand we pay 100% of the cost there.

Mr. Commissioner: Only in the initial stages, Mr. Chairman. Manpower is going to contract with us for a certain number of students and each one of the courses and they effectively in this manner are guaranteeing a portion of the total operating costs and I think this is quite a substantial portion.

Mr. MacKenzie: Yes, but as I said before, it is most complicated and I wouldn't attempt to try and explain it now without turning up the files.

Mr. Commissioner: I think this is an important point as far as Council is concerned. We have not been left to pay on our own 100% of the operating costs of the vocational training school.

Mr. Taylor: Mr. Chairman, the point I am trying to get across is that I don't feel we should be paying any more

than 15% of the operating and maintenance of that facility and I don't think we should pay 100% of capital cost and as far as I am concerned until we do have this matter thrashed out and we have a clear understanding of who is paying what I don't think we should have these facilities. The Administration say to the Council that they are going to have to levy taxes and make economies, here's one way we could effect an economy, if not for the people of the Territory, for the Federal Government, because they can possibly take this amount of money which would delete $191,200.00 and maybe slip it over to our road programs or something like this. But as far as I am concerned the amount of $191,200 as outlined here should be deleted and only the sprinkler system put in that building at this time. We can review it again in a couple of years and find out where we sit then.

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Mr. Shaw: I would like to ask the honourable member if there is anything more useful than training people to be craftsmen.

Mr. Taylor: I think this is a wonderful idea, but it's who can afford to pay the bill and if we're going to train people for Alberta and British Columbia and the rest of Canada I think the rest of Canada can pay a little bigger shot towards the training of these people. It's the same thing as Corrections, why should the people of the Yukon have to pay 100% of the Corrections program? In fact you may be incarcerating people who are Federal responsibility or Provincial responsibility. I feel that a cost-sharing arrangement should be worked out for this too. But I am completely unhappy with the vocational training and I still say I would rather see this deleted and left to a time when we can possibly afford this additional facility.

Mr. MacKenzie: Mr. Chairman, I would like to draw the members attention to Page 12 of the estimates and they will see that we are due to recover $168,237.00 for operation and maintenance from the Manpower department in respect of vocational training.

Mr. Taylor: What would that leave us to pay Mr. Chairman?

Mr. MacKenzie: The expenditure on the school is estimated at $484,874 and we propose the recovery of $168,237. That's operation and maintenance for the school alone.

Mr. Commissioner: $300,000.00 if we're lucky.

Mr. Taylor: This is my very point Mr. Chairman that of a total tab of $484,000.00 all the assistance we get on O & M is $168,000.00 and the taxpayer of the Yukon Territory is saddled with the rest..

Mr. MacKenzie: This is in line with this new agreement and this new agreement is Canada-wide, negotiated with all the Provinces and no doubt the formula along which this recovery paper has been calculated is the same that is in force in all the other Provinces.

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Mr. Taylor: It was never negotiated with this legislative Council.

Mr. Commissioner: Mr. Chairman, it was passed as an act of the Canadian parliament, it wasn't negotiated with anybody.

Mr. Taylor: If the Provinces can negotiate in respect of it what's the matter with the Yukon Territory?

Mr. Commissioner: Mr. Chairman. I'm telling you, they didn't negotiate with anybody, it was an Act of the Canadian parliament.

Mr. Watt: Mr. Chairman, in the Canada Year Book it gives some examples of Federal-Provincial negotiations in a lot of these fields in which considerable recoveries accrue to the Provinces from that, but when they accrue to us they're considered deficit grants, when they accrue to a Province they're considered grants as part of their income tax rebate, etc. But the reason I think it's important is that it will bring to the attention of that committee that is going to study Federal-Territorial relations some of these things and possibly they can work out a formula that will rate more advantageous to the Yukon Territory and get a more realistic picture of what our relationship is with the Federal Government compared to the Provinces, and I don't think the picture will look so bad as it is made out to look.

Mr. Shaw: No doubt we will end up being the poor relation anyway Mr. Chairman.

Mr. Watt: Mr. Chairman, there is some suggestion of deleting this item from the budget. Now the principle is the same with the sprinkler system as with the rest of it and there is a total of half a million dollars and $465,000 roughly with respect to this entire capital expense here. I don't know whether I agree with that or not. Possibly it would put us back on the old basis again which would delete half of it and go back on the 50% basis and put the sprinkler system in our half and pay our down payment on this machinery and see what the Federal Government do from there. Because this has changed the financial picture entirely. Mr. MacKinnon says he is able to represent us and if Mr. MacKenzie has difficulty explaining this to us maybe Mr. MacKinnon could adequately explain it.

Mr. MacKinnon: Thank you.

MR. TAYLOR RESUMES THE CHAIR

Mr. Southam: I am not going to say very much, but I don't agree with this idea of tossing out your vocational school. You are not only talking about the students in the Yukon, you are getting the benefit of 61 vocational training schools across the country that are working the same way. If you people would sit down and do a little reading you would find that these things work the same right across Canada. What are you thinking about? At least you are getting a little training into your mechanics which you never had

before and this is what's the matter with the country and has been the matter with the country simply because you had haywire mechanics. You can work in the mines and see what you've got. You've got the scum from the Provinces, you've got them from everywhere; we're trying to get a little bit of system into the world and here you want to cut it out. I don't understand you gentlemen. Why are you going to cut it out? Explain it to me. Because you're going to save a buck here? Next year you're going to double it. No sense to it gentlemen. So I would say think it over before you cut it out and think it over well.

Mr. MacKenzie: May I please make an important point here? I mentioned that on Page 12 there was a recovery figure from the Department of Manpower for vocational training of $168,237.00. Now immediately above that figure is an amount of $225,000.00 for a grant for vocational training based on $15.00 per capita recoverable from the Secretary of State, so this ties in with this cancellation of this 50% shareable arrangement which was in force before.

Mr. Commissioner: So in other words then our operating cost for the year of the vocational training school will be $92,000.00 of which we put up 17¢ out of each dollar of local taxation.

Mr. Watt: Mr. Chairman, aren't the recoveries that Mr. MacKenzie is introducing here, isn't this the night school effort?

Mr. MacKenzie; no I will repeat, we have this new agreement which is quite different from the old agreement and this $15.00 per capita is for the new agreement, it's a new thing, we've never had it before.

Mr. Watt: How does that one compare with the old one per capita?

Mr. MacKenzie: It wasn't there before.

Mr. MacKinnon: Mr. Chairman, I believe some of the Councillors are overlooking the fact that this new system has created quite a performance in the Yukon. For instance now, if you go to the vocational training school and you are married with two children you get up to $90.00 a week and this is worth quite a consideration. And I think this is a very important thing and this is all paid by the Department of Manpower. I believe that is correct?

Mr. MacKenzie: Yes, provided the trainee has been directed to go to the school by Manpower, then Manpower pay direct to the trainee. We don't come into the picture at all.

Mr. MacKinnon: Mr. Chairman, to be directed to go there by Manpower it means I believe that you are out of school approximately a full 12 months?

Mr. MacKenzie: I think it's in excess of three years.

BUDGET: VOTE #20

Mr. Commissioner: No, it's two years.

Mr. MacKinnon: For instance if I was to go there I would reap the benefit of $90.00.

Mr. Watt: What percentage have been referred to by Manpower and what percentage are not referred to by Manpower?

Mr. MacKenzie: I really couldn't say Mr. Chairman, this the scheme is only just about to start or has only just started. I have no figures whatever on it.

Mr. Commissioner: Well it will not start in actuality until September. In theory it was to start on the 1st April but in actuality it will not start until September.

Mr. MacKenzie: It's a brand new agreement which appears to be quite beneficial to us.

Mr. Commissioner: Mr. Chairman, would it be convenient if I was to be excused at this time?

Committee: Agreed.

Mr. Chairman: Can Mr. MacKenzie be excused as well?

Committee: Agreed.

EXIT: Mr. Commissioner and Mr. MacKenzie.

MOTION: SPEAKER DO RESUME CHAIR

Mr. MacKinnon: I move the Speaker do now resume the Chair and hear the report of the Chairman of Committees.

Mr. Thompson: Just before we do I would like to make one observation. If this is in fact true that all of this money in Vote 20 is recoverable from the Federal Government when we got to the position of the water services for any of these communities where it says that a certain amount is to be recoverable from the people, that I don't think we have to worry about this matter; if it's all coming back from the Federal Government I think we can just forego these little necessities and the Federal Government will be our guardian angel in all our capital expenditures.

Mr. Chairman: Possibly we can continue this in the morning?

Mr. Southam: I will second that motion.

Question called on the motion

MOTION CARRIED

MOTION CARRIED

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

REPORT: CHAIRMAN OF COMMITTEES

Mr. Chairman: Mr. Speaker, Committee convened at 10:55 this morning and discussed bills sessional papers, motions and memorandums. Committee first discussed Bill #9 with Mr. Commissioner in attendance. Committee recessed at 12:00 noon and reconvened at 2:00 pm. Mr. Boyd was excused from Committee until Monday next and requests to

be excused from Council for the same period. Mr. MacKenzie attended to assist discussions on the Main Supply Bill. I can report progress on Bill #9. It was moved by Councillor MacKinnon and seconded by Mr. Southam that Mr. Speaker do now resume the Chair and hear the report of the Chairman of Committees. This motion carried.

REPORT: CHAIRMAN OF COMMITTEES

Mr. Speaker: Gentlemen, you have heard the report of the Chairman of Committees, are you agreed with the report?

Council: Agreed.

Mr. Chairman: Gentlemen, in my report was a request of Councillor Boyd that he also be excused from Council. Would this be agreeable?

Council: Agreed.

Mr. Speaker: How about the agenda for tomarrow? Bills, sessional Papers, motions and memorandums. Is that agreeable to you?

Council: Agreed.

Mr. Speaker: What is your pleasure now gentlemen?

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

Mr. Southam: I will second the motion.

Question called on the motion.

MOTION CARRIED
Council adjourned to 10:00 am
Friday, April 28th, 1967

Friday, April 28, 1967.
10:00 o'clock a.m.

Mr. Speaker read the daily prayer and Council was called to order. Councillors Watt and Boyd were absent.

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

Mr. Clerk: There is, Mr. Speaker.

Mr. Speaker: The first item on the Agenda will be the correspondence. Have we any correspondence this morning, Mr. Clerk.

SESSIONAL PAPERS #106 #107 #108 #109 #110

Mr. Clerk: We have Sessional Paper No. 106, Wood Contracts; Sessional Paper No. 107, Liquor Price Increase, Dawson City Liquor Store; Sessional Paper No. 108 which is in answer to Motion for the Production of Papers No. 2, Liquor Prices; Sessional Paper No. 109, Amendments to the Liquor Ordinance; and Sessional Paper No. 110 re Fire Insurance. That is all I have this morning, Mr. Speaker.

Mr. Speaker: Have we any further correspondence? If not, I would ask if there any Reports of Committees? We have no introduction of Bills. Have we any Notices of Motion and Resolution this morning. We will now proceed to Orders of the Day. Have we any Notices of Motion for the Production of Papers? If not, I will now proceed to Motions. The first Motion would be No. 26, Mr. MacKinnon, Police Station, Pelly River. Mr. MacKinnon, are you prepared to discuss this Motion?

MOTION #26

Mr. MacKinnon: Thank you, Mr. Speaker. Moved by myself, seconded by Mr. Watt, re Police Station at Pelly River. "In view of the outstanding educational system at Pelly River and for the protection of this system and protection of the growing community there, I humbly request that Administration consider setting up a Police Station in the Pelly River community." May I proceed, Mr. Speaker.

Mr. Speaker: Proceed, Mr. MacKinnon.

Mr. MacKinnon: Well, gentlemen, in view of the public meeting we held at Pelly River, there has been a request made by the general public at Pelly River to establish a police station and we considered that a Motion through Council would be of assistance to have that police station established there. Many of the native people are asking to have this police station established just more or less to keep their own village under control while they are trying to put so many children to school there and the business establishments in that particular locality, they are also in favour of having a police station established at Pelly River. I believe Mr. Commissioner, even though he is not present, is well in favour of establishing police patrol at Pelly River. As I said before, we did feel that a Motion through Council would add just this much more weight to this requirement.

Mr. Taylor: Mr. Speaker, I find it difficult to see where the Royal Canadian Mounted Police will even consider putting a detachment in a community which has approximately....I think there are seven whites and 140 to 160 natives...from information I got from Indian Affairs this morning. I know I have been trying to get a police detachment in at Ross River where we expect to have some 1200 people in the area

MOTION #26

Mr. Taylor continues:
this summer and which is not serviced by any particular point. I understand that, also, that the Pelly River is serviced both from the Carmacks Detachment of the R.C.M.P. and the Mayo Detachment of the R.C.M.P. at this time and I fail to see how the Royal Canadian Mounted Police would consider putting a police detachment in such a small community.

Mr. Speaker: Have we any further discussion on Motion No. 26?

Mr. MacKinnon: Mr. Speaker, I don't know whether Mr. Taylor is aware of how far Pelly is from Carmacks. It is near to seventy miles as you are well aware yourself, Mr. Speaker, and from Mayo, I imagine it is very close to that mileage again. You see what happens...there last winter, I think it would be the largest mass murder ever in the Yukon stemmed out of Pelly River and possibly through home brew or something of this nature and if we had a police station there, these things would be stopped before they got started and this is what the people of the community are asking for and I do hope to get full support on this Motion.

MOTION #26 CARRIED

MOTION CARRIED

Councillors MacKinnon and Southam voted for the Motion. Councillors Taylor and Thompson voted contrary.

Mr. Speaker: I will agree to the Motion because it states, "consider"...it doesn't state that there has to be one there so Administration can size the situation and act accordingly. We have Motion No. 27, Mr. MacKinnon, Highway Operators.

MOTION #27

Mr. MacKinnon: Yes, Mr. Speaker, moved by myself, seconded by Mr. Watt, re Highway Operators. "In the opinion of Members of Council it is respectfully requested that Administration assess the values of allowing Highway Operators under the obligations of the Liquor Ordinance, in regard to the servicing of a minimum of 15 rooms be reduced to approximately 5 rooms in winter months." May I proceed, Mr. Speaker?

Mr. Speaker: Proceed, Mr. MacKinnon.

Mr. MacKinnon: Well, Mr. Speaker, in view of the fact that under the Liquor Ordinance at the present time to have a Cocktail Licence you must have had 15 rooms...now it would be 20....but I am speaking of the places that were in operation because I don't believe there are any new places that have come under these obligations, but to encourage some of these places to continue in operation during the winter months, I believe that this would be encouraging. I was speaking to Mr. Yakielashek from 1118 who owns, I would say, the superior accommodation on the Alaska Highway. He found it necessary to close last winter rather than to stay open and attempt to heat the 15 rooms that come under the requirements of the Liquor Ordinance. Now, had he been permitted to heat only the hotel rooms only and not have to heat his trailers, I believe he would have considered staying open. The same thing exists at the Dezadeash Lodge. Rather than to heat those 15 required rooms, they find it necessary to close entirely...get permission from the Liquor Board to close down. If they could heat just one part....knowing their heating system, they could quite easily do this...but to extend their heating system into the 15 rooms during the winter, they are much farther ahead to close and re-open again in the spring. So this Motion, gentlemen, is for the

Councillor Watt enters the Council Chambers.

Mr. MacKinnon continues: MOTION #27
benefit of the travelling public and also of benefit to the operator if he will consider staying open or if he does stay open but I think it has been proven last winter that we have a very serious condition continuing to build on the Alaska Highway and more and more people are talking about closing down for the winter so I believe this would be of some assistance to the travelling public and the operators involved.

Mr. Speaker: Have we any further discussion?

Mr. Taylor: Mr. Speaker, I also represent a pretty goodly portion of this Alaska Highway and I have not found anywhere where this has created any problem. We have decided that we wish people to stay open and to encourage them to do so, we grant them liquor licences and also to provide a service to the travelling public. I would certainly reject any suggestion that we reduce, during the winter months, the amount of rooms that must be available to the travelling public to anything less than 20. This just goes without saying. This is here for a purpose and a reason. Secondly, I might remind the Member that he does have a very direct pecuniary interest being a highway operator in this affair and this is something to be considered and I am not in favour of this Motion absolutely whatsoever.

Mr. Speaker: Have we further discussions on Motion No. 27?

Mr. Watt: Mr. Speaker, I think that the Motion has merit and it simply states that it is requested that the Administration assess the value of allowing Highway Operators to do this. It could be assessed...so they may see where it is necessary to have these 15 rooms heated and everything else all winter... some of these places are laid out so that some of them...it's easier to heat some sections to it than others. I know of places in Whitehorse here where they close down sections in the winter time when business is kind of slow...some of the bigger ones...they have laid out their premises so that they can close down sections of it in the colder weather when business is kind of slow to cut down on their overhead a little bit. I think....under the Liquor Ordinance, we requested them to have a certain number of rooms and they have those rooms or they don't have a licence. They have a capital investment there. It seems unnecessary that they should have to maintain heating and overhead in some rooms that aren't being used. It's an unnecessary burden on some of the lodge operators. If it were not, this Motion probably wouldn't be here. I think this should be looked into by the Administration. This is what the Motion asks for and they could possibly...all they would have to do is just offer a little bit of leeway in the Administration of the Ordinance. It says that they have to have a certain amount of rooms for the travelling public which they do have and as soon as the travelling public creates a need, these people are going to add the additional heat to provide the additional overhead that it is going to take to use these rooms. So, I think it is a sensible Motion. It is not asking too much. The objection and the hardship that has been caused for these Highway operators has been primarily on the Highway North. I haven't heard too much objections to them closing in the winter time in the areas south of Whitehorse. I will certainly go along with the Member who represents approximately 500 miles of both the Alaska and Haines Highway together and part of that 100 miles on the Haines Road and I think his Motion has merit and I will support it, Mr. Speaker.

MOTION #27 Mr. Speaker: Have we further discussions on Motion No. 27?

Mr. MacKinnon: Mr. Speaker, I would like to mention that I do not consider that I am involved as having a pecuniary interest in this particular Motion seeing that my requirements are only for five rooms having only a tavern. I am asking to reduce the heating of rooms to five which would not be cutting anything off my responsibilities at the present time. This is the cocktail lounges that I am asking for that protection for. I thought I would clarify the point, Mr. Speaker, that I do not consider having a pecuniary interest in this particular Motion.

MOTION #27 DEFEATED

MOTION DEFEATED

Councillors MacKinnon and Watt voted for the Motion. Councillors Southam, Taylor and Thompson voted contrary.

Mr. Speaker: The next item on the Agenda will be Motion No. 28, Mr. MacKinnon, Electrical requirements at Pelly River.

MOTION #28 DEFERRED

Mr. MacKinnon: Mr. Speaker, in view of the way things look around the table this morning...the lack of interest....I would like to defer this Motion.

Mr. Speaker: If that is your pleasure, Sir. The next item is Motion No. 29, Mr. Watt, Tenders - Sewer and Water, Lot 19.

MOTION #29 DEFERRED

Mr. Watt: Mr. Speaker, moved by Mr. Watt, seconded by Mr. Boyd, Tenders, Sewer & Water, Lot 19. Mr. Speaker, I would like to have this deferred until the seconder of the Motion returns which I believe is Monday, Mr. Speaker...or Tuesday.. if he will be here for Monday's session or if not.....

Mr. Speaker: That will be fine, Mr. Watt. We will defer that until Mr. Boyd returns. Gentlemen, the next item on the Agenda will be the question. Has any Member any questions this morning? If you have, I will get the Commissioner. If not, we can proceed to Public Bills and Orders. We have Bill No. 16 for First and Second Reading.

FIRST READING BILL #16

Mr. Southam: Mr. Speaker, I would move that First Reading be given to Bill No. 16, An Ordinance for Granting to the Commissioner Certain Sums of Money to Defray the Expenses of the Public Service of the Territory.

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

Mr. MacKinnon: Mr. Speaker, could I have the title read again?

Mr. Speaker: Bill No. 16, Mr. MacKinnon, An Ordinance for Granting to the Commissioner Certain Sums of Money to Defray the Expenses of the Public Service of the Territory.

Mr. MacKinnon: I'll second the Motion, Mr. Speaker.

MOTION CARRIED

MOTION CARRIED

Councillor Taylor voted contrary to the Motion.

Moved by Councillor Southam, seconded by Councillor MacKinnon, that Second Reading be given to Bill No. 16, An Ordinance for Granting to the Commissioner Certain Sums of Money to Defray the Expenses of the Public Service of the Territory.

SECOND READING BILL #16

MOTION CARRIED

MOTION CARRIED

Councillor Taylor voted contrary to the Motion.

Mr. Speaker: Gentlemen, I would be prepared to have a Motion to revert into Committee.

Moved by Councillor Southam, seconded by Councillor MacKinnon, 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 as per Agenda.

MOTION CARRIED

MOTION CARRIED

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

Mr. Taylor: Gentlemen, we will be discussing Vote 20, page eight. I will declare a short recess.

Mr. Chairman: We will now call committee back to order and we are discussing Page 8, Vote 20, Establishment 2315 Vocational Training School in amount of - $806,775.00. VOTE 20

Mr. MacKinnon: Mr. Chairman, I would like to ask the Commissioner as to whether they buy wholesale for the school equipment. Now I notice five hydraulic jacks at $350.00 each. Have you any idea what type of jack this would be, I've never heard of (inaudible)hydraulic jack unless it was a very huge type of thing - the ordinary jack would run for a ten ton we'll say around $70.00. I suppose it is a body, tool jack, is it..

Mr. Smith: Mr. Chairman, there is no use of my even attempting to answer that question but I will certainly get the answer for you, but as far as (inaudible) but I can tell you the answer to the first part of the question about buying wholesale, we buy all this on the basis of tender according to specifications that are laid down by the school and if Council would like to have more information in connection with this whole list of equipment I would be very happy to have the Vocational School people to supply us with the details in connection with each one of these items that are on the list of requirements.

Mr. MacKinnon: Mr. Chairman, in view of the fact that they are calling tenders, it will not be necessary as far as I am concerned.

Mr. Shaw: Mr. Chairman, I wonder if the Commissioner could state when this Purchasing Agent will be on the job. PURCHASING AGENT

Mr. Smith: Well Mr. Chairman, as I pointed out to you in connection with the paper that was tabled on reorganization generally of these various departments to give effect to such things as centralized purchasing, we cannot go tearing through the present organization with a bulldozer and just create all these things over night. It takes a little time to do it. However, I am very hopeful that as soon as we have this year's budget to work with, we are going to be able to bring our purchasing into a centralized agency and I would suggest that the first steps in this direction will be taken during the month of June this year and it will be completed just as quickly after that as possible without disrupting the whole flow of government purchasing. In other words it will be a step by step situation that over a period of a few months will bring about completely centralized purchasing.

Mr. Chairman: Anything further, gentlemen?

All: Clear.

Mr. Shaw: Speaking of purchasing, maybe he could purchase a phone booth for this Council chamber, it might help to beat the (inaudible).

VOTE #20

Mr. Chairman: Gentlemen, without leaving the chair I might note I will be coming back to this item and proposing deletions - and we proceed from this point to item 2331 Dormitories, New, Whitehorse, in amount of - $806,775.00

RE DORMITORY FACILITIES

Mr. Thompson: Mr. Chairman in view of the remarks that have been made at the Council table prior to today, and this has reference to the increased education facilities in the outlying districts, I think an entirely new approach should be taken to this dormitory question for Whitehorse and the proposed expenditure of better than three-quarters of a million dollars and you can be sure that it will be over the million dollars before it is finally completed and equipped. On the other hand if something like this is eventually needed and it would appear from the growth pattern of the Territory that we will conceivably be in a position in the near future to - be in a position to house additional children at the Whitehorse schools, then it might be advisable to commence on a program such as this. It might be wise to start a construction program such as this in order to beat the ever-rising costs but I think that for the moment a very hard look should be taken at this proposed dormitory because I think conceivably for the next two or probably three years, and I would like the Commissioner's comments on this, that with the expansion of the proposed teaching of additional classes in the outlying areas that this dormitory facility will not be required in Whitehorse in the immediate future.

Mr. Smith: Mr. Chairman, may I speak on this. The requirement for dormitory facilities is with us today and is going to continue to be with us irregardless of how much we do in the way of expanded school facilities in the smaller communities in the Territory - it is inherent in the type of economy that we have that communities are continually springing up in connection with resource development - in other words you simply cannot locate resource development in convenient locations that are already close to established communities where schools and everything else are readily available - you have develop resources where nature has seen fit to put the resources and they are not all next door to Whitehorse, Mayo, Dawson City, Watson Lake, etc., and the vast majority of boys and girls who are requiring dormitory facilities in Whitehorse are the children of men and women who by virtue of their employment find themselves in very small communities which are not in the foreseeable future going to be able to have available in them schooling into the higher grades or vocational training. Now, we are able, as far as we know, to take care of dormitory requirements with facilities that we presently have available to us during the school term that will start in September of this year through June of next year. Now, this is dependent to a degree on having more rental housing available in Whitehorse that will permit us to get vacated by the people who are now resident in the building that we refer to as the Fourth Avenue Staff House. This is the old CPA Staff House which is located at the south end of Fourth Avenue close to the Civic Centre. This will permit us enough dormitory facility expansion to take care of the anticipated needs along with what we presently have, to see us through for the school term

VOTE #20

Mr. Smith continues...

that starts in September this year. Now beyond that point, gentlemen, we have run out of dormitory facilities here in Whitehorse. Now, to say that I feel we need an $800,000.00 dormitory facility I think we have aired this question very very good here at the council table gentlemen and I think we are all agreed that we certainly are not going to need any thing in its initial stages of this elaborateness or in this amount of money but there certainly should be some pretty clear understanding gentlemen, that aadministration does have council's blessing to proceed with necessary dormitory facilities that will be available for the start of the school term in September, 1968, and remember that we are talking about here now dormitory facilities to take care of students who by virtue of many reasons that we are all very well aware of find it necessary to come to Whitehorse to finish off their education, either the vocational training school or the commercial classes or in those grades which are not taught in the communities in which they live. In fact remember this, gentlemen, that there are still many people who live in communities in the Territory where we have no school facilities at all.

DORMITORY FACILITIES

Mr. Southam takes the chair.

Mr. Taylor: Mr. Chairman, as far as I'm concerned, I said it before and I say it again, $806,775.00 is far too much money for the proposed facility. I think I also stated that if we do require hostel facilities and cannot find the use of the two church operated hostels, if we cannot find any room there, we definitely have to build a hostel, then we should at least come up with something more reasonably priced. Now I'm unalterably opposed to construction of any portion of this Tahitian, thatched hut design thing that McCarter and Nairne produced. I think this is an absolute waste of the taxpayers money. When we come along and say we need $75,000.00 - have to raise $75,000.00 in taxes from this source and expect you to raise $200,000.00 from that source and so forth and we start looking at budgets and things - I can see where we can duplicate this facility for under half that figure, for under $400,000.00 by producing a modest and efficient unit and I could not agree to just the carte blanc acceptance of the $806,775.00. And this is another place I'm going to start looking back after this agreement whenever it gets here - it's here and we discussed it and see where we are tax wise and find out what our position is relative to this budget. Then is the time when I return to such things as this. And I might also mention I have brought to the attention of the Territorial Engineer an idea which he may now be looking into which could reduce this cost on the overall project by I think about half so at least I'm doing something about it but I'm not in favour of voting these funds for this purpose until there is something more concrete than this here.

Mr. MacKinnon: Mr. Chairman, I would like to ask the Commissioner if any consideration has been given

Mr. MacKinnon continues...

DORMITORY FACILITIES

to dormitory facilities for the primary grades as well as the secondary?

Mr. Smith: Mr. Chairman, there is no indication that I am aware of of any dormitory facilities that would be provided- would be either limited to either primary grades or secondary grades, they would be dormitory facilities for boys and girls whose parents are resident in the Territory and who by virtue of any legitimate reason have to come to Whitehorse and go to school here and need these dormitory facilities to live in.

Mr. MacKinnon: That answers my question.

Mr. Shaw: Mr. Chairman, I would like to ask the Commissioner that in view of Council's attitude towards this, for want of a better word I'll say Tahitian type accommodation could you advise committee if you would also agree that this is not what we can afford to have?

Mr. Smith: Mr. Chairman, I can't support you any more. I think the thing is absolutely ridiculous. I think it is an insult to the intelligence to the taxpayers. I wouldn't consider such a situation, but I also think I have made it very clear Mr. Chairman that the requirement for dormitory facilities is still here regardless of the physical form that they take and at this point I think I would like to have a pretty firm understanding with council that if it is, or perhaps it would be better to ask it this way - does council continue to support my contention that we have to have dormitories but that we have to have them at a structural basis or rather means within our capabilities of supporting once we have them built. I realize the Federal Government has given us the funds to build them with and they are not asking for us to provide this money.. the maintenance of them after they are built is - becomes our baby and this I think is the question at this point and if Council would indicate to me when they are prepared to go along with the necessary dormitory requirements and next they want to see a proposal before them that is more in keeping with the dollar bills that we feel that should be expended on them then I would know what direction I'm going.

Mr. Thompson: Mr. Chairman, I'm glad the Commissioner has brought up that point that it isn't going to cost the taxpayers any money for this building regardless of the cost- so heating, or maintenance should not be any problem because it would probably the same cost regardless of whether we build a magnificent style or whether we used these prefab places put together but what I am wondering is that we have decided now that $800,000.00 or a $1,000,000.00 is too rich for our blood so we go back to the architects and we get another set of plans showing a place for $750,000.00 and we end up paying the architects and these other changes and I'm just wondering what is the answer? I don't know myself- I'm open to suggestion but I'm certainly not in favour of additional dormitory space at this time.

VOTE #20

DORMITORY FACILITIES

Mr. Taylor: Mr. Chairman, I feel the same way. Another point to consider is that we are asked here to vote funds and here we are asked to vote $806,775.00 and yet we don't see the package - the only package we see is the one this figure was based on that was the Tahitian village concent which of course we are all equally opposed to. On the other hand I wouldn't want to just leave it carte blanc and and say to administration well, if you feel it is necessary to develop dormitory facilities, to go ahead and strike off on your own. I think in this matter we should see that we should see the package laid out before us and find out just what we can and intend on doing in relation to anything of this nature before we vote any funds and I still think that a good search and a look around will find a solution to this problem without building these dormitories.

Mr. MacKinnon: Mr. Chairman, I would like to ask if anybody knows how many children this proposed dormitory would handle?

Mr. Smith: Mr. Chairman, this was all presented in a paper to council. I don't know if it was at the fall session, Mr. Clerk when it was presented to council. Bu we have this information.

Mr. Shaw: Mr. Chairman, the administration informed me that they require dormitory accommodation and I can only say that I must accept their word in this matter. It has been pointed out there are many children that do not have any education facilities so it is obvious they have to come someplace and this is the place that is chosen for that. I must admit though I don't agree with the $806,000.00 to build a dormitory. That is just absolutely too elaborate. You can build for $400,000.00 - for that you can build a pretty fancy hotel with cocktail bar and cafe and all this type of construction and it would appear to me that what we require is a building that will house the cafeteria section of it and another building for the girls as dormitory and another building for the boys and these buildings could be of a construction that they could be expanded at a later date if there was a necessity for that and then it would appear that this could be built for considerably, at least half of $806,000.00.... I feel it is probably a necessity - it has been studied and studied with more facts than I have at my finger tips and ...answer comes in, so I do believe that we should have provisions for it but I don't believe that it should be $806,000.00, possibly half of that figure.

Mr. Watt: Mr. Chairman, I think these dormitory facilities have a lot of merit. I know that they work. I know that students can have a proper environment and a proper environment can be created in a dormitory both for men and for women - I spent my entire high school days, four years, in a dormitory for boys and there was a system where there was also a dormitory for girls associated with the same school but in a different building with a church in between. Anyway the method works and it creates a very stimulating environment for students to study and work and live together so I think if we are going to start cutting away at it we are going to wind up with - you cut it in half and then provide facilities for both boys and girls, you are going to wind up with a boys dormitory of ten or fifteen boys and possibly a girls dormitory of the same size which I would say is a pretty inefficient operation - you have a house mother and facilities there - you might have it to a stage where it is fairly efficient and thirty or forty boys and

VOTE #20

Mr. Watt continues..

an equal number of girls can be looked after just as well as the lesser amount and I think that if we are going to do this we might as well do it right and set up a system that is going to work efficiently and properly and have a building that can adequately take care of the needs of the Territory and the Department of Education have put this amount in and have figured out the number of students involved, up to 75 or 80 I understand, and they require this amount of money and I don't think anything would be gained, I think we would lose money in the long run by cutting this in half. Because the first thing we would be doing is calling a contract this year and next year we would be knocking out walls and partitions and doubling the size of it so I think we would be saving money in the long run. I don't know if this could be done this year, possibly it could be started this fall but chances are it would not be ready to be used until the year after - next year anyway, so I'd like to suggest this entire amount be voted and one thing I do object to, when this was first brought up in council we asked to have plans drawn up and we came back with some plans - straw roofs, thatched roofs and these were not ideas which came from council. These were ideas of the architect and as far as I'm concerned they are entirely unrealistic. Now, we have had a lot of fires around and need a better change of architects or give them a little direction as to what this country is like and offer something that is realistic and secondly something that is required. As a matter of fact some thought should be given to changing a lot of types of construction in the Yukon Territory in respect to schools and possibly dormitories too. And I'd sooner add a couple of hundred thousand dollars and make a good fireproof buildings or semi-fireproof buildings rather than chipping this down and the administration has my whole-hearted support for this entire amount and I would like to suggest that we try and get started this summer if possible so they can be ready for occupation the year after next at the very latest.

Mr. Shaw: Mr. Chairman, this figure no doubt was arrived at by the very elaborate plans that were shown us a year or so ago and I wonder if the Commissioner could give council an idea Mr. Chairman, if this was made into strictly functional buildings, safe, solid buildings, if this could not be cut down by at least a third.

Mr. Smith: Mr. Chairman, I think you are asking a question here that is not in many instances too easily answered. On the one hand you are saying that you do not care too much for the finish or projected outer plans that were given to you and in this I am in full agreement; on the other hand you are saying it is about time we started to build public structures of very high quality construction so that fire hazard and fire losses would be reduced to a very minimal amount so that maybe by the time we are finished - by the time we have possibly deleted the outward fancy frills but have drawn to very high quality of high class construction, sprinkler systems, etc, we may find that the cost per square foot is not really too much difference. In other words we may find ourselves substituting quality of construction for the

Mr. Smith continues...

aesthetic looks of the construction. So, as to whether or not $35.00 a square foot is going to be too far away from the end result I'm not prepared to say, however, I will say this to you gentlemen, if there is going to be further discussion along building quality and lines and changes and one thing or another I would strongly recommend that the Territorial Engineer and possibly also the relative members of the school administration should be here to assist Council in this matter. Now I think you will see the other day on the front page of a local newspaper it gave you an example of what was happening to house cost construction here in the Territory. I understand that a fairly large construction for housing last summer went out at approximately $25-26 a square foot. Now, I don't think it is unrealistic in the light of further increases to say that $30 a square foot is pretty well the basic construction cost but I would like to have the Engineer here to verify or otherwise in connection with this so that we are talking about $35.00 in the recommendation we have here - to reduce that to $30.00, this is going to make it 20% difference in the end result of construction.

Mr. Southam: Speaking from the chair I was going to suggest that maybe we would have these gentlemen here before we do any more discussing on this subject.

Mr. Smith: Gentlemen, we are starting to get into technicalities and we have technical people on our employ who are here to give us this information and it is only right that it should be made available to Council so there can be no misunderstanding what this information really is.

Mr. Taylor: Just one question Mr. Chairman. As I say I would like to come back to this after I have seen the current forthcoming agreement because it is going to have a great deal to say as to just how we proceed in this matter as far as I am concerned. and it may be duplicating the issue I don't know, but otherwise, as I say I want to see the agreement before I come down and discuss what I'm going to suggest what we delete and what we keep. I haven't seen that thing yet so we don't know what's there.

Mr. Shaw: Mr. Chairman, I'd like to ask the member from Watson Lake what difference the agreement will make whether the children are looked after or not. They have to be looked after.

Mr. Taylor: Mr. Chairman, finance, straight and utter finance-what we can afford and what we cannot afford. We don't know what's being dumped on our laps and I think if the honourable member will recall he was present when we negotiated the Alaska Agreement.... and so forth in relation to negotiation.

Mr. Shaw: Mr. Chairman, if the agreement isn't good I'd also ask the member from Watson Lake do we set up a bunch of tents?

Mr. Taylor: Maybe start filling up some of the hostels-empty some of them and put some of these children in.

VOTE #20

DORMITORIES
HOSTELS

Mr. Shaw: If the hostels are filled now how are you going to pack them in? Use a hydraulic deal and squeeze them in?

Mr. Taylor: Send them back to their home community.

Mr. Southam: Anything further gentlemen, or would you care to defer this subject and have Mr. Baker and Mr. Thompson to discuss it with you at a later date? Would two o'clock be in order. Mr. Clerk would you see if Mr. Baker and Mr. Thompson could be available for two o'clock.

Mr. Taylor resumes the chair.

Mr. Chairman: Gentlemen, the next item is Dawson Elementary High School in the amount of -- $30,000.00

Next is Classroom construction - new, unallocated - $298,500.00. This, I believe, is for all parts of the Territory.

Mr. Smith: Mr. Chairman, we don't know what the demands are going to be schoolwise. We have a potential development at Carcross that may need more school facilities, may need more school room at Carmacks, Ross River...

Mr. Shaw: Clear.

Mr. Chairman: The next is Teacherage construction (new) unallocated - $120,250.00

Territorial and Tax Assessor, Road Equipment-$11,225.00

Mr. Chairman: I have a question Mr. Commissioner, is it possible that we will have a reconsolidation of Ordinances this year?

Mr. Smith: No. I'm very hopeful Mr. Chairman that we can have this undertaken in the next fiscal year but there is certainly not a hope of it now...

Mr. Chairman: Next item is under Health - $798,800.00 and the first item is General Health Services-$198,800.00

When will we expect the Health Services Plan - does that come with the Agreement?

Mr. Smith: As far as I know gentlemen the blue book that you have here right now is it to my knowledge.

Mr. Shaw: Mr. Chairman, could this be discussed when we have Dr. Sprenger here.

Mr. Smith: Absolutely, when would Council like to have Dr. Sprenger here?

Mr. Watt: Mr. Chairman, I'd like to suggest that when we get Dr. Sprenger that he budget quite a bit of time for this because it is a pretty...agreement and last time ...took us ten days....

Mr. Smith: Is it the agreement that you wish to discuss with Dr. Sprenger, is this what I understand?

Mr. Smith continues...

If Council would give me an approximation of when they would like to start on this and I will see what we can do about Dr. Sprenger's time.

Mr. Chairman: This forms part of the fiscal agreement-that would be time to discuss it, whenever the agreement gets here. I have marked it for deferral.

Mr. Shaw: Mr. Chairman, possibly at a later date we could put in a firm time. In the meantime I would ask that we do defer this until we have this meeting.

Mr. Chairman: 2503 will also be deferred, gentlemen - that is the Dawson City Cottage Hospital.

GAME

Mr. Chairman: The next item is under Game - $23,188.00.

Mr. Southam takes the chair.

Mr. Taylor: Unfortunately this matter was discussed- the operation and maintenance side of the Game department- was discussed when I was at Ross River and I had not up to this point had an opportunity to say anything about this. But I do wish to state right now that I think it is a downright disgrace and a shame that there is not any provision in this year's estimates for the development of the game department and that is the acquiring of three wardens. Councilhave indicated their desire to it and to have them out in the outlying districts - under Game there should be three vehicles for these three Game Wardens. Obviously it is not included in the operation and maintenance side and here we are providing one 3/4 ton pick-up to be used by a Game Guardian who I suppose would be seasonally employed. And I see no provision here for three game wardens for the Yukon Territory. This is the only one resource Mr. Chairman that the Yukon Territory have any control over and it is a pity, it is just an outrage and shame that the Departmental committee or whoever chopped this out of the budget had chopped it because we had asked for three game wardens and our own Territorial Supply biologist and I think a clerk-steno and they were all to be implemented this year- bango, they were just absolutely thrown out right down the drain.

Mr. Smith: Mr. Chairman, this is not quite the case - in your Vote here, Vote 7 on page 5 you will find where we are listing one Game Guardian to be appointed permanently, two Game Guardians to be hired for a period of four months and a Clerk Typist to be hired on a casual basis and the discussions as I recollect them gentlemen were that the one Game Guardian was to be brought in full time this year and the other two on a casual basis next year, the second one to be brought in and one on a casual basis and the following year the third. In other words they were to be built up because it was apparently Mr. Fitzgerald's intimation that to just plunk these three or four people into his Department all at one time would not be in the best interests of getting the thing organized and properly set up and also at some point in time here we were hopeful that there would be some agreement here with the Fisheries people so that we would have further use and further revenues and so on to

VPTE #20

Mr. Smith continues...

GAME work these people in Mr. Chairman.

Mr. Taylor: Mr. Chairman, this is the way it wound up, yes, but the Game Wardens should have been in the field ten years ago . This is why the matter was raised and a motion of council was produced that this be done in the first year of the - of this current agreement which we still haven't seen. And now on the budget which I'm told is based on that agreement there is no provision for these people, where for instance, Game Guardian, to be appointed- there is no house for him. Where is his residence going to be - where is he going, to Dawson or Mayo or Watson Lake?

Mr. Smith: I'm sorry I can't answer that Mr. Chairman.

Mr. Taylor: This is the point, Mr. Chairman, these Wardens were to be hired and taken out so the B.C. Game Department could give them basic training - they could be functioning this summer and next winter get back out for further training by the B.C. Game Department school and we have this operation on the road but as I say this has been chopped and this is what I deplore. I did have a discussion with the Game Director asking him how he thought this thing should work and he said 'oh no' we should get three game wardens over two, three, four years and we would keep them all here in Whitehorse. He said we have to train them. I don't know who is going to train them in Whitehorse - I don't know of one soul in Whitehorse who is capable of training a Game Warden. You have to send them out to the B.C. Game Department school. And number two, well we have to wait now and we will go and help do a game count with this Dr. Pearson- this fellow from Ottawa, and before we do anything else. And the way he has it figured we won't have game guardians in the outlying districts in around the Yukon for oh five, six, ten years maybe. Well, this isn't what I envisioned. I envisioned getting after this thing and looking after this resource because as I say that it is the only one we have control on- only natural resource in the country. That's my argument.

Mr. Watt: I'd just like to go on record as saying I don't agree with the hiring of a whole bunch of other personnel unless it is justified and as far as I'm concerned right now the administration hasn't requested it, we've been jamming some of this stuff right down their throats and right along with the motion...but I would like to suggest to administration if they had a staff of four and this year they added another four - some on a part-time basis, the wages haven't doubled but the Game Guardian and two Assistant Game Guardians and a Clerk Typist but I would like to have these personnel justified to me by the administration and not take the word of one Councillor that is worked up about it that all these people are necessary - all this full-time help, because once we get this full-time help then they need vehicles and the operation and maintenance and the support of this full-time help would cost as much as the help itself so I'd just like to go on record to say that any new personnel that are hired in the Department, just because we have, I want to see them justified - the work justified. Just because we

Mr. Watt continues...

have jurisdiction over it doesn't say we have to jump up and down and start hiring a bunch of people just for the sake of hiring them. It is one of the few resources we have jurisdiction over and I think that we could prove to Ottawa that we could do it efficiently and if we can prove it with one resource chances are we would get jurisdiction over more resources. So I am concerned about the game and the enforcement of regulations and ordinances but until these, the hiring of additional personnel is justified and so far some of it is justified and right now I wouldn't want to go any further than is already requested by the administration in the budget and I will go along with this as it is...

Mr. Taylor: I can't agree, Mr. Chairman, we have 207,000 square miles of Yukon Territory to cover with - as I suggest three men - that is all there is and that's all that there would be -- three game guardians or three Game Wardens, pardon me. But this isn't too much to ask for. That's a big area, 207,000 square miles and possibly the Director himself could look after the Whitehorse area with a casual employee, but you've got dwindling fur industry- looking after any part of our responsibility to game in this Territory in my opinion. There is nobody to do the job. Absolutely nobody. The Federal Wildlife people send in this Dr. Pearson but he is doing research, or supposed to be doing research and so forth for the Federal government. It is not for the Territorial Game Department and gentlemen I say to you this that there has got to come a time when we take this responsibility on our shoulders. Number two is I listened at this council table a short while ago when we talked about revisions of the Game Ordinance and I listened to the wails and cries of the Department of Game to the effect of how terrible the helicopters were and how they could not catch them whenever the people used them to utilize a crime - no facts to speak of and yet they ask you to sit down here and legislate in a discriminatory fashion against a machine as a helicopter rather than accept the responsibility and say put in a Game Warden, go out and catch these people who are doing wrong and this type of thing. If you have no Wardens why should you have an Ordinance. Why not throw the Ordinance out and let things go as they used to go. You are trying to enforce the law by trying to put restrictive, undemocratic legislation into effect rather than hire the men to get out and do the job and try and look after this industry, the game industry of ours, that's what you are doing.

Mr. Thompson: Mr. Chairman, may I ask your indulgence if I can be excused at this time.

All: Agreed.

Mr. Shaw: Mr. Chairman, we'll be playing nick nack paddy wack in relation to the number of Council members. I think that the Administration are doing pretty good in starting to increase this Department. I want to see an increase. I see where there is more help for this quite important industry and I'm quite satisfied with the progress. However, there is one section Mr. Chairman I would like to comment on and

VOTE #20

GAME

Mr. Shaw continues...

perhaps the Commissioner will take under advisement. I have heard we have a Sessional Paper before us and it is talking about the fires in the Yukon Territory. It talks about a fire - this happens to be south-west of Dawson City- it happens to be there but it could be any other place - but it was unfought because of heavy commitments and low land and timber values. Now I can understand maybe with commitments it is not possible to do it but the point that kind of gets me, and incidentally I heard an interview over the radio the other day with one of our officials in the Forestry Department and their attitude is that if it has no timber values well we can forget about it. Well, I think that is wrong, the wrong attitude because our game values, our fur values are just as important in the Yukon Territory as the timber values so that when we burn off areas of land as civilization as we call it, moves forward, they drive the game into more restricted areas., admittedly not a great deal in the Yukon, but when we start burning off an area of 250,000 acres and brush it off with the statement that it has no timber values, I feel that the Forestry Department are in charge of looking after the timber and also other resources to consider but this is not only timber that is burning that is valuable; when these other areas are destroyed we destroy all fur, we take away food from the game, situations are created for flooding and so on. If we have no facilities and money all this stuff, it is understandable you can only do so much. But it is not understandable that an attitude should be taken that because it hasn't timber it is of no value. I would like the Commissioner to perhaps straighten out these Forestry men that any area of the Yukon Territory that burns is a detriment to the Territory, if not in one industry, certainly in another.

Mr. Chairman: Gentlemen, is there anything further on this?

Mr. Thompson: There is nothing further, we'd just be talking to the wall anyway. We are not going to go anywhere but I would like to go on record as opposing this attitude toward game but like everything else I guess you've got to put your rubber stamp on it and that's it.

Mr. Taylor resumes the chair.

Mr. Chairman: Are you clear on Game, gentlemen, $23,188.00. Next is Vote 8 - General in the amount of -- $52,090.00

Mr. Southam: I would like to ask how big a blackboard do you get for $75.00. This is a pretty expensive blackboard- it's only a piece of board painted black or is it a special kind of a slate board you get.

Mr. Smith: You can find out from Personnel just what kind of a blackboard it is.

RE AUTO FOR USE OF COMMISSIONER

Mr. Shaw: Under General there is a matter I would like to bring to your attention. I don't know where this matter would come up, Mr. Chairman, but under this particular section and possibly this is where it comes under, there is a recommendation from the Financial Advisory Committee; in fact it is on the last paragraph of the report- "the other exception is...reads section...re purchase of automobile for use of the Commissioner. I feel Mr. Chairman that

VOTE #20

Mr. Shaw continues...

it should be under General and that is why I mention it at this time- this might not be the Department but I feel and members of the Committee also felt that funds should be provided for this and they are prepared to recommend that funds be provided for this.

Mr. Smith: The only way this can be handled gentlemen, is in Supplementary Estimates. We can't add it in here Mr. Chairman.

Mr. Shaw: The point is to get the action done-attended to and I wondered if Council concurred with the recommendations of the Financial Advisory Committee in this respect.

Mr. Taylor: There are not very many Council members left to concur. There is barely a quorum, Mr. Chairman.

Mr. Southam: I'm certainly in agreement with it, I think it is right but I'm also of the idea that the Commissioner is a Federal employee and therefore he should be bussed by the Federal government. However, if the Federal government doesn't want to do it I'm quite agreeable. And I think it is only right that he should have a car that is suitable to this station in life - possibly a chauffer to go with it.

Mr. Watt: Mr. Chairman, I'd like to add to that. I'd buy him a car and pay his wages and I think he should be paid by the Territorial Government - it could be under General as well - not only that, I don't think he should be appointed at all, I think he should be elected and I'd like to be the first to sign his nomination papers.

Mr. Chairman: Gentlemen, are we clear on 2801,- Administration. Then 2806 - partitioning Lynn Building - $20,000.00. From the Chair gentlemen, I'd like to say I'm unalterably opposed to this..(inaudible). LYNN BUILDING

The next item gentlemen, is 2810 and 2811 - Mine Safety Warehouses at Elsa and Carmacks.

Mr. Southam: Mr. Chairman, I believe Councillor Boyd has some very violent objections to this and I wonder if this could be deferred until he is here to state his case?

All: Agreed.

Mr. Chairman: That concludes for the moment Vote 8. Next is Vote 9, Engineering and Municipal Affairs and the first item is Road and Garage Equipment. VOTE #9

Mr. Southam: Mr. Chairman, might I ask you defer this until two o'clock when Mr. Baker is here? We could ask him all the questions at that time?

Mr. Chairman: All right gentlemen. In view of the time we will declare committee in recess until two o'clock.

Friday, April 28, 1967,
2:15 o'clock p.m.

PRESENT - MR. K. J. BAKER, TERRITORIAL ENGINEER
MR. HARRY THOMPSON, SUPERINTENDENT OF EDUCATION
ABSENT - COUNCILLOR BOYD

BUDGET - VOTE 20

Mr. Chairman: Well, gentlemen, I will call Committee to order. We have with us this afternoon Mr. MacKenzie and Mr. Baker, or Mr. Thompson and Mr. Baker to assist us in discussing Vote 20 in the main supply bill and I believe you wish to refer back to 2331 Dormitory, new, Whitehorse. Will you proceed.

Mr. Thompson: Well, Mr. Chairman, Council agreed that some thoughts be given to a functional type structure as opposed to the Tahitian type structure. We were wondering whether in fact this had been taken under consideration by Administration. I would direct this question to Mr. Baker.

Mr. Baker: Mr. Chairman, I think Mr. Thompson really is the person to answer this question. He set out the terms of reference for the architect and consequently I feel this is his problem to reply to.

Mr. Thompson: Mr. Chairman, I am not quite clear on what Councillor Thompson means by functional type structure. We in the Department of Education in discussion with some of the local people who are involved in dormitory operations felt that the type of residences we wanted should meet the developmental requirements of the children or the young people when they are out of school. And it is quite obvious to us and I think it is quite obvious to you people if you spend any time in Whitehorse on the weekends. The present hostels in Riverdale are not satisfactory. They are institutional type structures that many of the children are very unhappy in. They don't lend themselves to adequate supervison and adequate control and programs for the young people who are staying in them. And, therefore it is our feeling that unless institutional type organization would be far better and for this reason we suggested what we call cottage type units...where in our recommendations fourteen students would be living in one cottage under the supervision of one person. And our intitial development-recommended development... is that there be five of these cottages constructed together with the main services building, which would include the offices, the heating plant, the dining area, recreational area, the kitchen and so on. Now, as to whether Tahitian type outside architecture or what, as far as I am concerned it doesn't make any difference. But I think it is important that we provide a less institutional type structure than what the hostels now provide.

Mr. Thompson: May I direct a further question to the Superintendent of Education. You mention that a less institutional type structure, and yet your arguments for this is that they have lack of supervision and lack of sports and things of this nature to keep them busy. But this is a health problem as opposed to a building problem. Don't you feel that whereby individual type structures such as you have intimated--fourteen plus an apartment or accommodation for a supervisor is adding to immensely to the overall cost whereas the large building conceivably broken down into five sections would accomplish the same thing and cost considerably less?

BUDGET - VOTE 20

Mr. Thompson: Well, I think if you were to compare the estimated cost of our proposed residence with the cost of operating the Yukon Hall, I don't think that you will find there is any great difference in operating costs. I think the figures for that were provided in the Sessional Paper which was presented to Council.

Mr. Thompson: Are you speaking primarily of a light number of students Mr. Chairman?

Mr. Thompson: On a per student basis. And, at the present time the Yukon Hall certainly doesn't provide the type of privacy that we envision in the cottage type residence because within the Yukon Hall there are some large open areas where quite a large number of students sleep in an open type dormitory. We did make a study, the Engineering Department did make a study for converting the Yukon Hall so that there would be no more than two students per bedroom and it would take far fewer students under our--this suggested rennovation than are in the school at the present time.

Mr. Shaw: It would appear to me that the children now in the dormitory, they have two to a room I believe. Sometimes there are three and sometimes broken up...proposition. But. I have no complaints. I have spoken to one of my daughters having to stay in there and I have spoken to other girls and they don't seem too concerned at all about the facilities. They seem to be quite happy with it and it would appear to me that if you had three buildings, in other words if you had one building that would be the service area, dining room facilities and whatever necessary facilities and possibly laundry facilities. And then you would have two other buildings and they could be recreation, one for boys and one for girls. You would have your recreation room in each one of those buildings. The rooms to be modeled somethink like a hotel room would be. There is nothing wrong with staying in a hotel. There could be two children to each room and it would appear to me that you would have a very economical structure and I don't think that would retard education or other services. That way you would be getting the buildings you require at a minimum cost functional buildings and they could also be so constructed and laid out that you could add another wing when you want to add to each one of these buildings. Possibly have a central heating system so that a supervisor that is a person in each one of those dormitories to see that the children got in at the right time and got out, and also kept their rooms clean and put up other discipline that might be necessary. I think that they could keep their own rooms clean. I think it would be good for them, to ask them to do this. Possibly they won't like this. But we have that problem in the home with our own children and we just have to lecture them to do these things. They don't want to but it is good for them. They don't naturally want to do this. So that one supervisor could look after thirty students in that building. You estimate perhaps about 70 students I believe. So you would have half girls and half boys. Now, I don't suppose it will work out that way. But none the less it would be--you have got to estimate that part of it. But at least with one building you could have one supervisor in that building. And that would cut down on that fourteen room deal you are going to have a supervisor for each one. In other words by having 35 in one building you are going to cut down at least on this operation

Mr. Shaw continues...

possibly about $15,000.00 a year right there.

Mr. MacKinnon: Well, Mr. Chairman, I don't know just exactly what we are arguing about. I think we have very capable men at the heads of these departments and they have prepared the planning of the necessary requirements. And here we are trying to tell them how this should be done. This is like trying to tell them how they should build on permafrost and such things as this. I think that these people are quite qualified and realize what the problem is and I believe that they have come up with plans and the most suitable type of plans that they could come up with. And I believe that we should go along with the monies that is appropriated and just discontinue this worthless argument and I think it is a wonderful thing. Now we are talking about lifting the lids of these buildings and making them look like a bunch of shacks. I say let us keep it exactly the way it is. Something for the Territory to be proud of in the future, and the difference in cost in dollars would be very, very little. And, I also might say we go to clothing shops and we pay anywheres from $160.00 to $200.00 for a suit of clothes just to look a little bit better, so if it costs an extra dollar or two to improve the looks, it also changes the environment for the children that are going to be there. Let them be proud of the dormitory facilities that they are staying in. I suggest we leave this entirely within the hands of the Engineering Department and the Heads of the Educational Department. And, I don't think you have ever been misled in the past by either one of those departments, and I don't expect we ever will be misled by either one of those departments.

Mr. Southam: ... This dormitory business is to me I don't like these barrack like types either, but they can be quite comfortable. But I think what is needed far more than just a building is the people to look after it. Now this is your big trouble. This is your big trouble with dormitory life. Having the people to supervise. This is going to be your big problem. Not the building itself. The building can be dormitory type, it could be say half a dozen in a room or something like this although I don't exactly care for it. If you want to get that cheap I say that two in a room is enough at any time. Personally I would sooner see them single. I would sooner see this. Talking from dormitory life and also from bunkhouse life. And I think this has a lot to do with unsatisfactory students shall we say. The cottage type is going to--administration with cottage type dormitories--I think, I doubt. personally, I doubt whether you could get enough people to administer this. In other words what I mean is supervise this. Because this is something that is not easy. You have to get dedicated people. That's all to it. And I don't know in this day and age where you are going to get them all. And this will cost you something far more than building a decent sized dormitory. But let us, if we are going to build such a thing let's build it so that the students are going to be comfortable and I would suggest, stongly suggest that you make them single rooms.

COUNCILLOR SOUTHAM TAKES THE CHAIR

BUDGET
VOTE 20

Mr. Taylor: Well, Mr. Chairman, I rise to reiterate what I said before on this subject. Now that we are going around and round and round again. But, I don't agree that expenditure of $806,775.00 as outlined here is warranted. I do not feel the people of the Territory can afford to build this and pay the operation and maintenance cost of it. It sounds like a wonderful proposition all right, but there are many things that we have to forego in the Territory and we can't afford to pay for them. And again at a time when taxes are rising and this type of thing and also in the interest of affecting economy, it seems to me that we can develop reasonable looking structures and reasonable structures interior wise, regardless of what they look like exterior wise. I think we can develop a modern type building and produce it or purchase it or have it constructed cheaper than what we can here...possibly resulting a saving here of $400,000.00 and if it is possible to affect a saving between $200,000.00 - $300,000.00-$400,000.00 possibly this should be looked into. I am not prepared to add my vote to the approval of this sum or any sum until I see a project or a building at a more modest cost and yet efficient building. And these are my feelings on it. This could possibly be re-tendered somehow. A lot of this too is in the tender as to what standards that we do set. Maybe we set our standards a little high on this thing. Obviously we must expect the sky is the limit on this thing if we have...because it is just too much money. As I say, I can't go along with it for that reason. I would rather see a more modest type structure and see this thing re-tendered on that basis.

Mr. Watt: Well, Mr. Chairman, if Mr. Taylor thinks he can cut down the construction cost to a little over $25.00 a square foot to about half of that, I certainly would like him to build a home for me if he could possibly construct it. But, I would like to ask Mr. Thompson now....I have seen a lot of dormitories, a lot of them...and in every case they have been a fairly large structure. One that I know of real well has over 120 students, boys, in it, and this was outside of the kitchen facilities and that. They had one man and his wife living in the same building overseeing this during their off school hours and it was one individual that did this and he did this easily. And I would like to... and I have seen a lot of these dormitory type facilities, both for high school students and university students, and in no case have I ever seen one with the cottage type system we intend to use in the Territory here. Could I ask Mr. Thompson where this exists. Is this something new...a new idea behind it? Could you explain it a little more completely? I have never seen anything like it so it puzzles me.

Mr. Thompson: Well, Mr. Chairman, I think the idea is relatively new. I believe that the Indian Affairs in some of their new establishments, they are tending towards this type of structure. I understand they have developed something along this line in Prince Albert and I know when the Assistant Regional Superintendent of Indian Affairs was in a couple of weeks ago and we showed him the plans that we had for this cottage type dormitory, he was very interested in this. He felt they were far superior to the dormitory type structure. But getting back to this question of supervisor, this point has been raised. Councillor Watt raised it. A man and his wife were able to supervise approximately 120 students and Councillor Shaw suggested that he could see no

Mr. Thompson continues:
reason why one supervisor couldn't handle thirty students. Well, we are talking about teenaged boys and girls and I would suggest to you that a supervisor who has fourteen teenaged young ladies in her care is going to have her hands full. She is going to have them seven days a week. She is going to be responsible for them in the mornings, in the evenings, during school days and on the weekend. And, this is a tremendous responsibility. I feel in talking with the people in the hostels here they feel very strongly too that thirty students to one supervisor, particularly thirty teenaged youngsters is far too many. After all, this person is going to represent the parents, the parent, while this person is living in residence. This person will be responsible, working with the administrator of the hostel in developing programs and seeing that these youngsters are not hanging around the Whitehorse Inn in the evenings and on the weekends, and in other words this is going to be a learning situation for these young people. They are going to be in school for six hours or so a day but when they get home, they should be learning a proper attitude. They should be developing into a good citizen. And, unless you provide adequate help to do this, all you are doing is washing the whole thing down the drain. If a youngster comes into town, becomes very unhappy with living accommodation or gets into trouble and drops out of school, you have wasted that young persons life. And actually you have spent a lot of money on teachers and school facilities as well. But it is being wasted. Regardless of whether you have accommodation for these youngsters in a cottage type situation or whether it's in a large hostel type situation, you are going to have to have supervisors, and I would suggest to you it is going to be much easier to get good supervisors for a cottage type unit than it would be for a large hostel type unit.

Mr. Shaw: May I ask what would be the difference to a child's morality or any other thing if that child were staying in a hotel with supervision or a cottage with supervision. Now, when we talk about hostels, I don't know, I haven't been in these hostels. I don't know what they are like. So that the fact that a building is rectangular and has a passageway down the center and it has supervision and it costs half as much as these other fancier affairs, I don't think that that should make any difference to the children, but it certainly would make a difference to the taxpayers who are footing the bill for putting up this type of building and maintaining it. I might state, Mr. Chairman, that I went to a boarding school myself. There were no girls there but there were 35 of us in one dormitory with one matron, and I can assure you there was plenty of discipline. They used to have canes in those days and I was a recipient of that type of discipline or punishment on more than one occasion but it didn't have any derogatory effect any more than any other type would. Certainly this putting them in small houses...it might be modern for some people that can afford something like that but we just haven't got that kind of money to experiment. It's too expensive and I would like to ask Mr. Baker a question. If we build buildings say, for example, a service building and two of these so-called hostels, I don't think that's the right name for them.. for the dormitory, nicely furnished, two to a room with a recreation room in each one. Would that cost less in amount than $850,000.00? Couldn't we save a great deal of money on a building such as that?

BUDGET - VOTE 20

Mr. Baker: I would say, Mr. Chairman that you could save some money. Just how much? I am not prepared to say at the moment without doing some calculations.

Mr. Shaw: But the point is Mr. Chairman, that I think this dormitory deal is a good deal and I feel we should have it and that we should get going on the program, but it seems an awful lot of money. Over three-quarters of a million dollars for something. I can't see the cost so high. But my goodness for $400,000.00 you can build a pretty fine hotel in this day and age, even with these high costs. Here we are getting twice that much. Now, talking about a thirty room hotel. Here we are talking about twice that much for the same type of accommodation. Or perhaps not as fancy. I just can't see paying this kind of money for this. That's the only thing.

Mr. MacKinnon: Well, Mr. Chairman, now on a preferred basis Mr. Chairman, Mr. Shaw he is quite well aware of the cost on a per footage basis and the bids that have been put on ...for the vocational training school which far exceeds the cost of this type of building. Now, is he looking at it from a per footage basis or is he just jumping in the air and saying it is too much money, and basically we are talking about nothing. We are just saying it is too much money. But on a per footage basis, Mr. Shaw, do you feel it is too much money.

Mr. Shaw: Mr. Chairman, to answer that question I would like the honourable member from Carmacks-Kluane to tell me how much footage he is talking about.

Mr. MacKinnon: Mr. Chairman, that to me would be very close to $30.00 per square foot.

Mr. Shaw: How many square feet Mr. Chairman, I haven't been informed of it yet.

Mr. MacKinnon: It's right here in the book. There is a breakdown.

Mr. Shaw: Would you read it please?

Mr. MacKinnon: Can you not read, Mr. ...

Mr. Shaw: No, I am asking you.

Mr. MacKinnon: Well, I think this is being childish. It's right in front of you and you have the book. I think this is being very childish Mr. Shaw.

Mr. Shaw: Mr. Chairman, I don't see it here. I am asking the member how many feet it is. He doesn't have to wheedle around the question. It is a simple question. How many feet?

Mr. MacKinnon: Sessional Paper #60, Mr. Shaw. Would you like to pick up Sessional Paper #60? 20,990 square feet and the total cost Mr. Shaw would be $35.00 per square foot, so there would be 20,990 square feet. Does that answer your question?

Mr. Shaw: I would thank you for answering my question, and thank the Commissioner for handing it over to you so that you could give me the answer.

Mr. MacKinnon: I appreciated that too, Mr. Shaw. BUDGET - VOTE 20

Mr. Shaw: I would also mention while I am on my feet, perhaps Mr. MacKinnon wishes to be the best dressed man in town, as the member from Carmacks-Kluane, with a $160 suit. He happens to be paying that. It is his own private concern. But we are spending the people's money here.

Mr. MacKinnon: Mr. Chairman, I would like to mention at this time that I don't think we are gaining a thing. And as for Mr. Shaw being here for a tenth of a century, I would expect him to be showing more common sense that what he does. And, it's a terrible thing that we have to act like a bunch of children instead of getting on with the business. And, I am very surprised to see this type of thing carry on. I mean we are wasting administrative time. We have a couple of fairly important department heads with us and I am sure they were looking forward to a sensible discussion instead of the type of thing this is carried on with.

Mr. Taylor: Well thank you Mr. Chairman, I hope we have finally gotten rid of that end of it. Now we can get back and discuss the matter at hand. I would also agree that the Administration could undertake..it appears that if it goes on like it has in the past ten or fifteen minutes we might be here for another two or three months yet. Certainly we will be here another couple of weeks anyway and I am wondering if the Administration would consider getting up some alternate ideas in relation to this on cheaper buildings. I know I had occasion the other day to take a look at a more modular type construction that interested me because they had made classrooms in this institutional type thing and had built two deck schools and two floor schools and this type of thing. And apparently these can be produced in Vancouver at a cost of about $13.00 or $15.00 a square foot depending on what you are after. And then they are shipped up and eventually assembled on site and they become a semi-permanent building I suppose. But I don't know much about the cost. I did draw the attention of the Engineering Department to the existence of this and I have left it there. Now, this may be the answer. Some sort of a more modular type thing where you can keep adding to it as you require additional space. I don't know. But I would like to see some alternate to this, because I certainly am not in favour of this and I would like to direct a question to Mr. Engineer. Would it be possible to come up with some alternate proposals in relation to this as to how we could avoid the costs concerned here and still provide some sort of a dormitory facility which is required?

Mr. Baker: It is possible to come up with alternate proposals.

Mr. Watt: I would just like to, I agree with the money, being spent on this and I agree with the principal. I think the only thing that has left a question in my mind is that--the general principal of the cottage type as oppoesd to the large type unit. But, I would like to move that this be moved out of Committee without amendment. MOTION RE BILL #9 MOVED OUT OF COMMITTEE WITHOUT AMENDMENT

Mr. MacKinnon: I will second that Motion Mr. Chairman.

COUNCILLOR TAYLOR RESUMES THE CHAIR

MOTION RE BILL #9 MOVED OUT OF COMMITTEE WITHOUT AMENDMENT

Mr. Chairman: Gentlemen, the Motion is out of order.

Mr. Shaw: I would assume Mr. Chairman, if the Engineer could come up with a proposal it would be more in keeping with our pocket book and still supply the objectives which we have for providing housing for students. And apart from the cost of this, I would be very happy to see this proposal.

MOTION OUT OF ORDER

Mr. Watt: Mr. Chairman, I think that we should have a Motion on this. I made a Motion, and I am not suggesting that we start cutting this down. I wanted to make a Motion and I made a motion when Mr. Southam was in the Committee, Chairman of the Committee and he accepted it and Mr. MacKinnon seconded it. And, that this be moved out of Committee without amendment and Mr. Shaw gets up and says he wants an amendment. So, there was a Motion that stood and I would like the question on the Motion called.

Mr. Chairman: Gentlemen, before you just proceed and I can see where this is going to get in another round of confusion. What essentially you have moved Councillor Watt is that we move Bill #9 out of Committee without amendment and this I would rule out of order at this particular time.

MOTION RE MOVE EST. # 2331 OUT OF COMMITTEE WITHOUT AMENDMENT

Mr. Watt: Mr. Chairman, I move that we move Establishment #2331 out of Committee without amendment.

Mr. MacKinnon: I second the Motion.

MOTION OUT OF ORDER

Mr. Chairman: I still rule the Motion out of order, gentlemen. This is not the proper manner in which to deal--we can't move this out of Committee without amendment. We are talking about a portion of a Bill. I ask for your concurrence or otherwise in these affairs, gentlemen, and if you wish to delete this, I would suggest a Motion would be in order to detete it, not in the manner....

Mr. Watt: Mr. Chairman, if this goes any further, I will have to ask Mr. Speaker to resume the Chair, but you say that you have to--we have done this in the past and it's the thnng to do when we have had discussions on something like this. Now you say we could make a Motion to delete it but we can't make a motion to retain it as it is. Now, I think with the diversions of opinion we have to come to an agreement. Some people want to delete it entirely, some people want to cut it, and some people want to retain it. The Administration have got three different answers here, and I simply made a Motion one way or another. Somebody else is going to make a motion that it be cut, the question can be called. Or somebody else can make a motion that it be deleted the question could be called. But there is a motion on the floor and it has been seconded that Establishment #2331 be voted out of Committee without amendment. Without either deleting it or taking from it. It was a simple Motion Mr. Chairman and it has been in order for the last tenth of a century here. And I suggest that we call question on the Motion.

Mr. Chairman: Councillor Watt, I still must rule this Motion out of order because it is not proper nor is it legal to move a portion of the supply bill out of Committee without amendment. It must be considered as a whole bill.

Mr. Shaw: This is a matter whereby we are going through this particular bill. When we complete the bill there will be certain changes made on the agreement of Council. I don't think we have ever had a Motion that we take a chunk of it, and put it right out. In other words, this is an issue that forces a certain course of action that we had discussions on. It was a move that would prevent one way or the other a matter that has been discussed to present to Council other alternatives or something to save the taxpayer some money, and I have never seen that I can recollect where we take a piece of a bill and make this motion. Usually it is sent back for to get a complete bill on the section and then the bill is carried or otherwise. That is what we have done in the past. I do not recollect where a motion has been to except any particular one. It has been asked do you agree to this and or we defer it and we come back for further discussions. And that is the way it has gone. But to take something out of context like this is certainly not common usage of this Council. And I don't think that would serve any particular useful purpose. The Chairman can always ask the Committee that if he wants, or Council can be asked. This is certainly unorthodox. BUDGET - VOTE 20

Mr. Chairman: Thank you Councillor Shaw.

Mr. Watt: Well, Mr. Chairman, I think this has been done in the past. There is no point in dealing with the speaker as we already know what would happen there. But I would just like to ask the Administration if they are clear on the directions of Council. Or would they like further direction. This is what our job is. We have been here for a month and we have accomplished very little. We have discussed this for half a day almost and nothing is satisfied yet, except that I think a majority wish this voted out of Committee without amendment, without chopping it, without cutting it down, without deleting it. I think this is why I made the Motion, I thought there was sufficient discussion to have a vote of Council of Committee on it. And apparently you want to haggle about this for another couple of hours and I just like to ask the Administration if they have sufficient direction on this and what do they plan on doing with respect to this. This--well I have forgotten right now as far as Committee is concerned.

Mr. Commissioner: Well, the last question I think if the last question was answered, Administration would know what to do and that is, I think the last question that was asked, was it possible for our Engineering Department to submit other construction suggestions. Now, if Council would direct us if they wish us to do this we will know what we must do. But at the moment we certainly have no direction of any kind.

Mr. Chairman: Does Committee agree to that proposal?

Mr. Watt: Mr. Chairman, I would like to further ask the Commissioner, I am not sure whether it is the direction for the type of the building, the cost of the building or just the basic ... of the amount of money involved in it. What are you not sure about in the whole thing. Actually what we are doing is trying to defer this and I think that a majority of Committee right now simply agree with this expenditure of $806,000.00 and there is a minority that don't agree with it. I think, it is my opinion, that don't agree with this that is stalling us off and filabustering in order to carry this on and on and on. And they want to defer it or they want to get more papers on it and I am

BUDGET - VOTE 20

Mr. Watt continues...

just trying in order to keep them down. I am in agreement with this expenditure of $806,000.00 for a dormitory. And I have passed an opinion in what I think should be looked into a little bit more, but I am not strong on the point, but I certainly am in agreement with this expenditure of $806,000.00.

Mr. Chairman: Well, gentlemen, could I have your concurrence or otherwise. Would those agreed to having the Engineering Department look into this and provide some alternate proposals please signify their agreement. I am just asking for concurrence of Committee, gentlemen. Please don't make this job more difficult than it already is.

Mr. Watt: Mr. Chairman, I have asked for concurrence of Committee for the conclusion of $806,775.00 in the budget. I have asked for this concurrence and you wouldn't call the question.

Mr. Chairman: Gentlemen, what is your..

Mr. Watt: ...question...something...yourself

Mr. Chairman: Gentlemen, what is your further direction in this matter.

Mr. Shaw: I would just like to state that there is a Councillor absent here whom that question concerns. He is away on Council business, and all we are asking is to let the administration review this and see if they come up with what we consider, some of us consider, a more realistic figure. There is a possibility that when they come back with their answer, it will not be a more realistic figure. This is not deferring, this is not, certainly I am not filabustering. Filabustering is the word. You seem to be very well acquainted with that word, Mr. Watt. That's not the intention at all. We are spending close to a million dollars of the taxpayers money. I think that requires some consideration gentlemen. I really do. And it is just asking the Engineering Department if they will review this, ...

Mr. Chairman: Order, gentlemen.

Mr. Shaw: After all that's a lot of money involved. It involves a lot of money and I know that it might be beneficial to this particular area to spend ten million dollars on the project. But, I think that all the people of the Yukon have to pay for this. I think that a day or two to discuss a matter like this is not filabustering. It is just common sense. And when the administration reviews this, we don't know what the answer will be. Maybe it will be beneficial. It may not be. If they cannot see any way to cut corners on this then I will be prepared to go along with this amount of money. That is all I have to say.

Mr. Watt: I would just like to say as far as I am concerned I have had sufficient discussion on this and I am convinced that the administration are taking our suggestions under further advisement and have looked into this fairly completely now, and although I have been around Whitehorse for quite a few years and I am old enough to make up my mind, and I think Mr. Shaw has been in this world for over three quarters of a century and he should be old enough to make up his mind too. So I require no further Sessional Papers on this

Mr. Watt continues...

Mr. Chairman, and I am in agreement with this expenditure.

Mr. Shaw: I would just like to make one remark. I think if the honourable member from Whitehorse West if he went to school he would have found out what three quarters of a century means and it couldn't possibly apply in my case.

Mr. MacKinnon: I would like to say a word in regard to this and I am in full concurrence with this $806,775.00 and I think we are very fortunate to get this type of facility set up. Room for seventy pupils where they can provide food and all such things as this. At $35.00 per square foot. This is a very good price today, I believe. And like I say we don't want to go around shabby if we can help it. And, I think that the majority here in concurrence with leaving the $806,775.00 in the budget with the advisement that administration to see fit that they cut corners. Leave off the odd frill here and there and save $75.00 then we would all be in agreement with that. But, I believe it's a fairly close figure and I doubt very much with a lot of perserverence that they could come up with any better figure than they have already. I just hope they will be able to get a bid on the job.

Mr. Chairman: Order, order please.

Mr. Shaw: $11,500.00 per student...

Mr. Chairman: Well, gentlemen, what is your direction at this time in relation to this. Do you wish to carry on with something else or do you wish to leave any recommendation for the administration here.

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

Mr. Chairman: There is no Motion at this time, gentlemen. How do you wish to proceed at this point?

Mr. MacKinnon: Could I make a motion, Mr. Chairman.

Mr. Chairman: Any member is entitled to make a motion.

Mr. MacKinnon: Yes, well I would like to make a motion that Establishment 2331 be passed without amendment.

Mr. Chairman: Gentlemen, I will still rule that motion out of order.

Mr. Thompson: Mr. Chairman, I would like to draw the Committee's attention to the fact that in connection with this establishment the sessional papers in question asks for clarification on several matters. One of them is should we embark on construction on a large residence in Whitehorse for secondary school students. That seems to be the basis of this pow-wow. The capital costs have been, it has been inferred that we have no worry about this. That we have been given the money, we can borrow it and given the money to pay it back so there is no reason for concern. But this is probably one of the reasons why your incometax keeps going up by about five or six percent every year. The big factor is to remember and this is where we are being caught out in left field at the moment with the corrections program is that the Federal Government gave us the monies for the Capital costs and now they are coming to us for the total

BUDGET - VOTE 20

Mr. Thompson continues...

amount of upgrading and maintenance and by the same token they are asking us for increased taxation. And the same thing will be true here. We are talking about a million dollars for a dormitory, we are talking about a million dollars for the capital costs that will give education to enlarged school facilities in the smaller centers and in the same sessional papers we are asking should the Territory consider taking over the operation of the Indian hostels. There wouldn't be any--or I shouldn't say there wouldn't be any capital costs involved, but there would probably would be a bookkeeping entry in respect to this. But then we would still have the operating costs. And just by the figures supplied by administration looks like your operating costs are fairly heavy. I think, I am not too sure. I think the figure of a miliion and a half comes to mind for the correctional program, and I think we are being asked to contribute something like $500,000.00 in here for operating. So, if we agree to the construction of a residence type building, or a residence type building for Whitehorse, and the school facilities in our smaller centres our capital expenditure is in the neighbourhood of two million so you are looking at an operating and maintenance cost in the nature of pretty close to a million dollars I would say. So, I would just suggest this to keep this in mind when your vote or decision is being made, gentlemen.

RECESS

Mr. Chairman: Gentlemen, at this time, I think we will declare a recess for tea.

RECESS

PRESENT: Mr. Thompson - Education
Mr. Baker - Engineering

Friday: 3:30 pm
April 28th, 1967

ABSENT: Mr. Boyd & Mr. Watt

Mr. Chairman: I will now call Committee back to order. Have you anything further at this time on 2331? Is there any further requirement for Mr. Thompson at this time? BUDGET: VOTE:#20

Councillor Thompson: Were there any other matters on education?

Mr. Chairman: I think that's all I've got here gentlemen.

Mr. Commissioner: Mr. Chairman, would you see now that we at the Administration have Council's wishes clear on the matter so that we know what we are to do and not to do?

Mr. Shaw: Mr. Chairman I think it resolves back mostly into a question of whether we have a hotel or cottage type dormitory, I think that's what it revolves around. Perhaps we should let this go until Monday when we have Mr. Watt and Mr. Boyd here, and we can resolve it at that time either by agreement or a vote and then we will know where we're going. I have no further questions of the gentlemen here today, Mr. Baker and Mr. Thompson.

Mr. Chairman: I believe we will require Mr. Baker for the capital side of Engineering and Municipal Affairs. Do you wish to go on with that this afternoon or is it your wish that we leave it.

Mr. Shaw: Well if Mr. Baker is here it might be a good way of getting it finished.

Mr. Chairman: Can Mr. Thompson be excused?

Committee: Agreed.

EXIT MR. THOMPSON

Mr. Chairman: Do you wish to proceed with Engineering and Municipal Affairs?

Committee: Agreed.

Mr. Chairman: On Page 11, Vote 20. The first item is Road and Garage Equipment: $233,760.00. You will find the breakdown on Page 11A.

Mr. Shaw: These items only last for three years Mr. Chairman - 540, 541 and 542. These must be little pumps.

Mr. Baker: That's right, they are inch and a half pumps and they don't have a very long life.

Mr. Chairman: Are we clear?

Mr. Shaw: I note Mr. Chairman you are going to a smaller dump truck now. Are they more versatile?

Mr. Baker: We require these smaller trucks in our maintenance camps to be used to haul the steamer around and for miscellaneous dump truck work. It's plenty large enough for this type of application.

BUDGET:
VOTE #20

Mr. Commissioner: They are more of a utility type truck.

Mr. Thompson: Are we making some of this equipment available to the vocational school (inaudible) or just how are we...

Mr. Commissioner: You mean any of the non-useable equipment. A lot depends on the method of disposal and perhaps Mr. Baker will indicate the general policy.

Mr. Baker: Mr. Chairman, generally speaking when any surplus equipment comes up the vocational school people have a look at it and if they have need for the piece of equipment they take it over either for instructional use in their motor mechanics class or for training their operators.

Mr. Chairman : Are you clear?

Committee: Clear.

Mr. Chairman: Next item is Furniture and Office Equipment: $3,225.00.

Committee: Clear.

Mr. Chairman: Sundry Engineering Equipment: $1000.00

Committee: Clear.

Mr. Chairman: Communications Systems: $5,000.00

Committee: Roger

Mr. Chairman: Tools and Equipment: $3,000.00

Committee: Clear.

Mr. Chairman: Fire-fighting equipment: $19,671.00. This is listed on Page 11B.

Mr. Thompson: Is this going to get off the ground this year Mr. Chairman?

Mr. Baker: Yes, we intend to purchase this equipment if Council approves.

MR. SOUTHAM TAKES THE CHAIR

Mr. Taylor: Mr. Chairman on this particular vote I find I must say that at this point in time we are desperately short of adequate fire-fighting equipment and largely I would say in trucks - throughout the Territory. I was in hopes that we would see in this particular budget one or two or three trucks for areas that desparately need them and I would cite Teslin as being one, and I believe Watson Lake have a requirement for an additional truck at this time, because as can be seen throughout the Territory, if you haven't got the equipment you lose a lot of both life and property, whereas if you have the equipment then we can save life and property. As I say, Teslin is in very bad shape right now and I don't think we have gone far enough in this budget and I would like

to see the Administration give further consideration to this problem of getting fire-fighting equipment for the rest of the Territory and bringing this department up to snuff a little earlier in the first period of this agreement. BUDGET: VOTE #20

Mr. Commissioner: Noting the Councillor's remarks I see that we are apparently able to procure one further fire truck from the Department of Public Works. Perhaps Mr. Baker is aware of where this one is coming from?

Mr. Baker: Well you are referring now to the Watson Lake item. The present fire truck of course is owned by DPW and we would like to acquire this from DPW so that we can call it Territorial equipment so that it can be turned over to the Volunteer Fire Department.

Mr. Commissioner: And this is a means of doing it this if we can possibly bring this about, is this the idea?

Mr. Baker: Yes.

Mr. Commissioner: I saw a schedule somethere - I don't see it attached to the budget but Mr. Spray had a schedule that we were talking to the Committee about when they were up here from Ottawa about moving certain fire equipment to different points, is that schedule still in effect do you know Mr. Baker?

Mr. Baker: Well it is as far as I am aware.

Mr. Commissioner: In other words there is a continuous upgrading process going on and while I realise that maybe it isn't as quick as Council would like to see it certainly is not off the rails as far as the general upgrading is concerned.

Mr. Taylor: Mr. Chairman, there's also the case of fire sirens. I don't know, it's been a long time since we first started discussing this matter and I need a fire siren at Teslin and another one at Ross River. This has been a long time and I still don't see these things in the budget. The alert system is fairly important and at Ross River I see there is nothing for fire equipment and there is some basic equipment that could be put in there even if it was considered that we work in conjuction with some of the forestry fire-fighting gear.

Mr. Commissioner: I think what we need to see before, and maybe Mr. Clerk could get it down for us, is the outline of the movement of fire equipment, the general upgrading of it. This only tells the story of the new items that is being bought and there is a lot of other movement going on with equipment as well as this.

MR. TAYLOR RESUMES THE CHAIR

Mr. Taylor: Anything further on fire-fighting gentlemen? Next is the Dawson garage, $150,000.00. #2910 on Page 11

BUDGET: VOTE #20

Mr. Thompson: Mr. Chairman: I would like to ask one question of the Commissioner: The wording - "the possibility of the Alaska Highway being taken over" -I am wondering when we were supposed to take it over this April there was much gnashing of teeth and supposition that the Territorial Engineering Department was not capable of taking it over by this time or the Highway was not of sufficient standard for the Territory to accept it and in view of the lack of maintenance or constructive long-term maintenance on the highway will the highway ever be in shape of a sufficient quality for the Territory to take this over?

Mr. Commissioner: Well Mr. Chairman, the taking over of such a project as the Alaska Highway from an operations point of view only would not be a very difficult situation and I am sure from what I have seen of the Engineering Department and their general organization that they could absorb it without any difficulties at all. The unfortunate part of it is that there is a lot more to taking over such a thing. Now I don't know all the things that have transpired in the past in this connection, nor do I make any attempt to go into the details of it. However since I have come into office there has been a considerable amount of further discussion on this matter and the most pressing thing that is going on right at the moment is going to be a complete up-to-date review of all the facilities that are still maintained by the Department of Public Works in connection with highway maintenance and Mr. Baker, Mr. (inaudible), Mr. Fingland, and Mr. Coates are going to be making an on-the-ground inspection of this, this coming week Mr. Baker?

Mr. Baker: Next week Sir, May 2nd.

Mr. Commissioner: And this is going to lead up to a meeting in Ottawa, the agenda for which has been very well laid on by Mr. Baker himself to cover discussion on all the outstanding items that he wishes clarification on and some tentative agreement on to see in fact if an agreement would be subject to all parties concerned feeling that it was the proper dish of fish, could conceivably result in the Territory taking over the maintenance of the Alaska highway. That's exactly how the picture stands at the moment.

Mr. Thompson: I understand one of the main reasons for not taking it over this year as had been planned was the integration of the Department of Public Works personnel into the Territorial Manpower system. Am I correct in this assumption?

Mr. Baker: Mr. Chairman, this was one of the considerations a year ago that if the DPW people were transferred to the Territorial Public Service they had no guarantee that the rights and privileges which they now enjoy would be transferred. Since that time a draft Public Service Ordinance has been prepared and after this is approved by Council when these people are transferred into the Territorial Service they will come to us and have the same rights and privileges which they now have. So everything depended upon this legislation.

Mr. Thompson: I don't mean to deviate Mr. Chairman, but would this in fact mean that if I have ten years with the Department of Public Works and you have been only five years with the Territory, I would be senior to you in this amalgamated program? BUDGET: VOTE #20

Mr. Baker: It is not a matter of seniority, it was a matter of the accumulation of sick leave and vacation leave and matters of this type.

Mr. Thomspon: Pardon me Mr. Chairman for pursuing this but I would like to clarify it in my own mind. The take over of something of this nature-now I understand this year for the second or third year in a row that the local offices of the Department of Public Works have had an amount in their budget for the improvement and/or hard surfacing of a section of the Alaska Highway in the Whitehorse area, and I understand in the last two or three years that Ottawa have seen fit in their undying wisdom to delete this item. Now if we are conceivably to take it over, is there any greater assurance that monies would be available for something like this?

Mr. Commissioner: This is exactly what some of the questions are that Mr. Baker and other Administration officials want to determine. There are possibly 25 different formulas that we can think of off hand under which the Territory could conceivably undertake to do the maintenance on the Alaska Highway and that portion of it that runs through the Yukon and it is all these unanswered questions that we are endeavouring to get tied down to see whether or not in fact it is a practical and proper thing for the Territory to go ahead and do. So the question is not only in the Councillor's mind, these are the questions - and I'm sure Mr. Baker will confirm this - that we wish to get clarified at this point.

Mr. Thompson: Would it then be in order for Mr. Baker to make a report not only to the Commissioner but also to Council on the findings or the recommendations of this meeting with the Federal Govennment?

Mr. Commissioner: You will be hearing directly from the Commissioner.

Mr. Chairman: Gentlemen I believe following the review of the budget and sessional papers it is intended that we go directly on with the Public Service Ordinance and possibly it would be a good time then to deal with the questions raised by Councillor Thompson. Are we clear then gentlemen?

Committee: Clear.

Mr. Chairman: Carcross Storage building: $15,000.00.

Committee: Clear.

Mr. Chairman: And Bunkhouse, Dempster Highway: $15,000.00. Might I ask from the Chair, Mr. Baker, would it not be more

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reasonable to put a trailer in their until such time as this...

Mr. Baker: This is the type, Mr. Chairman, that is meant. It will be a trailer bunkhouse.

Committee: Clear

Mr. Chairman: Housing - Carmacks. Gentlemen, as listed.

Mr. MacKinnon: Mr. Chairman I know that there is a lot of people in Carmacks would like to see this go ahead but I think it is a very poor policy. I believe we have samples of these up and down the Highway at the present time established some years ago by the Canadian Army and other places where this type of housing has been established you have a community split right down the centre and I am in favour of seeing a foreman's residence in all these areas but I believe that the Territorial Government would be more in pocket if they put this out on public tender and give a guaranteed rent for these houses in those areas and they would get away from a maintenance and upkeep department which I see that we will be faced with very shortly and a paint crew to paint the interior and exterior and also a crew to take care of the plugged up sewer and water systems and things of this nature. I have seen quite a bit of these things and right across the highway from me we have an operation by the CNT - they're in the housing business - and their water and sewer system is just out of this world and I think most government water and sewer systems are the same nature. They spend more for the maintenance of their sewer and water system than I make in a year and I have more linear feet of sewer and water system than they have. But we have to install it in a manner that works because we haven't got the money for the maintenance. But I can see nothing but future expense for the Government. It's a nice thing, a nice little package deal for a community, but at the same time you are not going to get actual residents in these communities, you are going to get people that say "OK I don't like the foreman here particularly so I will transfer, I'll go to Dawson City next year." This happens up and down the highway in the maintenance camps. They will stay at Haines Junction for a year and the first thing you know they are transferring to Swift River and actually they never do set a foot down and become a definite resident in any one particular area and it's not good for the communities. It's hard for people that are floating around to take a definite interest in a community and, like I say, there is a lot in favour but I have talked to several of the foremen that have been in here on foremen's committee meetings and they feel exactly the same and they agree that a more substantial wage and let the operators put their feet down, so to speak, and become residents of those communities by establishing homes and paying taxes, and here we are talking about quite a number of houses. This would amount, if they were private houses, to possibly $2000 a year in property tax, and this is quite something. If the Government take it on themselves there would be no such thing as property tax but you will have maintenance and upkeep and you will have a department to take care of this maintenance and upkeep.

Mr. Shaw: Mr. Chairman I agree with the Councillor from Carmacks Kluane in some points, however I must also look at

the point that there is no housing in that particular area or some of those areas and therefore when we get people running a piece of $50,000 equipment we've got to get pretty good men to do it, that know how to operate it, and expect them sometimes to put up their own homes. In some of these areas it's perhaps a little difficult. I do not object to this particular type of construction just providing one thing Mr. Chairman and that is that these people pay an amount of rent for these places that is commensurate with what they would have to pay if they did own their own home. When I see somebody get a house for a hundred dollars a month and they use all the light and all the fuel, the doors are left open and the storm doors won't be shut in the winter time and the lights on in the basement all day and all night and things like that for a fixed fee and on top of that providing them as in some of these instances with all the furniture and even with the silver that they have on the table and dish cloths to wash their dishes with. I was wondering Mr. Chairman if the Engineer could explain if these houses are constructed just about what the program would be, what these people would pay for these particular houses, or the formula, let's put it that way.

Mr. Baker: Mr. Chairman, this has not yet been decided by the Administration. We haven't come to grips with the problem of course because we didn't know whether Council would approve of this house-building program or not, but to my way of thinking these people should be charged an economic rent.

Mr. Shaw: The reason I brought it up Mr. Chairman, in Dawson we have some good men. They've been with the Government, I think they've been longer with the Territorial Government than anybody, except perhaps Mr. Bidlake, certainly for 20 years or so, and then you have other very good, dependable operators - I think the Superintendent of Public Works will agree - but you give them a home up there for $90.00 a month or so and in the meantime these other people have paid their own way over many years and you are bound to get quite some dissatisfaction. I have seen people, not with the Territorial Government but with the Federal Government, where they have got a job with the Federal Government who have supplied a house and they have immediately turned round and sold theirs, or rented it. The average taxpayer looks on that with a somewhat jaundiced view and I certainly agree with this because you must have buildings and the buildings aren't there and it's pretty well impossible even in this area where you have all the advantages of CMHC and so on to get people, you pretty near have to force them to buy their home and on many occasions they won't go to the trouble of locating, they'll go outside. And I would think, both for Carmacks and for Dawson, as long as I was assured that they would be paying an economic rent for these things, I would go along with this. And I wonder if the Commissioner is able to assure me that these people would be paying an economic rent.

Mr. Commissioner: Well Mr. Chairman I think there is a little more to it than the paying of economic rent. This economic rent statement, or this means of stating economic rent that is used around here at the present time does not meet with my personal approbation at all. I think it's a myth, it has no more bearing in factual reality than day has to night.

BUDGET:
VOTE #20

Mr. Chairman: Perhaps I could explain what I meant.

Mr. Commissioner: I know what you're talking about Mr. Chairman very very well and what is being applied here at the present time as economic rent. I know that too. And I know what Council wantsand I am prepared to see that Council (inaudible). And I agree with Council, namely that the rental should be something that is going to properly amortize the cost of the building and the utilities that are provided are paid for on the basis of their use.

Committee: Agreed.

Mr. Commissioner: There are two different sets of rules altogether. Calling an economic rent where you include all these utilities and make a flat charge and another thing altogether where you charge a rental that is going to reasonably amortize the building so that by the time the building is ready to fall down you've got some money in the kitty somewhere the same as you have in your machinery rental - at the same time you are using the machinery rental you are recovering proper monies for the fuel and the gasoline and everything else that the machine uses. The same with the house utilities, they should be paid for on a monthly, quarterly or yearly basis, not according to some theoretical rate that somebody has worked out as being used by the average family. Now this I know is what Council wants, Mr. Chairman, and this is precisely what they are going to get.

Mr. Southam: Well, there is one thing I was interested in. Why are these houses in Carmacks costing $2,250 more than the others? And also are you providing housing for the operators up around Mayo and Stewart Crossing and these places too or are you just picking out a couple of places and thirdly, while you're at it why don't you offer these to these poople to buy them with rental and let them own the places in a few years.

Mr. Commissioner: The guaranteed buy-back basis and rental are basically one and the same thing except that there is an equity being built up under one scheme. There is nothing the matter with this at all.

Mr. Baker: At Carmacks we intend to put these houses on concrete basements and this is why it costs more than the houses in Dawson. In the case of Mayo and Stewart Crossing and elsewhere we intend if it's possible to build houses there in subsequent years.

Mr. Chairman: Could I ask a question from the Chair? Is it the intention where sub-divisions are available to scatter these houses through a sub-division rather than make them into one little group?

Mr. Baker: Definitely, Mr. Chairman.

Mr. Commissioner: We have no intentions of creating a Territorial Government Colony in any particular part of the Territory.

BUDGET: VOTE #20

Mr. Southam: Well that's a good thing because I see here in Dawson you've got about 14 houses. It seems to me that's a lot of houses to build (inaudible) and let the others go.

Mr. Chairman: Gentlemen, have you anything further on the houses for Carcross, Carmacks and Dawson?

Mr. MacKinnon: I believe that Mr. Southam has a very good suggestion and I think a rental purchase plan on these houses would be very valuable to these communities and we will get away from this continuous transferring from one road section to another. I don't know if Mr. Baker has had any problems or experience in this matter but I know that the DPW end of it, they're transferring from one section to another continually and I don't believe that this is a very stable plan really.

Mr. Baker: Mr. Chairman, most of our people are very stable and we have very few transfers. As a matter of fact in the last few years we have transferred perhaps three people at the most and this was occasioned really by the closing down of the Dempster Highway.

Mr. Commissioner: I think though that something that Council should be made aware of Mr. Baker is the fact that with the general extension of the Territorial road maintenance program into areas that are calling for year-round maintenance that have never called for year-round maintenance before, that you are going to have to locate different categories and different standards of employees in areas that up until now say an ordinary road foreman was the number one banana, now you are going to find it necessary to put a supervisor who will have several road foremen under him.

Mr. Baker: That's true.

Mr. Commissioner: And I think this is a very important element here as far as the distances that have to be maintained are concerned.

Mr. Chairman: Are we clear on this point?

Committee: Clear.

Mr. Shaw: Mr. Chairman, I wonder if we can go on now and study Bill No. 16?

Mr. Chairman: I believe Mr. Commissioner indicated he had something he would like to bring to our attention. But first gentlemen I wonder if Mr. Baker could be excused at this time and possibly we can resume this on Monday morning?

Committee: Agreed.

MR. BAKER EXCUSED

Mr. Chairman: Gentlemen, Mr. Commissioner had an item that he wished to draw to your attention. Possibly this may be the best time to do it.

REPORT: FISCAL AGREEMENT

Mr. Commissioner: Now gentlemen, in connection with the Fiscal Agreement. During tea time today Mr. MacKenzie brought to my attention that we have uptodate information from Ottawa in connection with this that indicates that along with the best effort that Mr. MacKenzie's department can put forth plus the necessary things that have to be done yet in Ottawa although this matter has Cabinet approval, it could be up to two weeks' time before all the necessary related documents are ready to be tabled here for Council's perusal. Now this includes the Permissive Ordinance that will permit us to enter into an agreement, secondly the agreement itself, thirdly the minutes of the Interdepartmental Committee who made the necessary studies in this connection and also the (inaudible) agreement. With these four items it could conceivably be up to two weeks from now before these are ready to be tabled for Council. I have no further information that I can give you gentlemen but I wanted you to be aware of precisely the information that I have in this regard and the members of the Financial Advisory Committee were present at my discussions and so on with Mr. MacKenzie in this matter so they were made fully aware along with myself of this particular situation. That is everything that I have; I will answer any questions that Council may have.

Mr. MacKinnon: Well Mr. Chairman in view of what the Commissioner has just said I would move that Mr. Speaker do now resume the Chair and hear the report. Or am I a little hasty there?

Mr. Chairman: I wouldn't be too hasty in this.

Mr. Shaw: We have Bill #16 Mr. Chairman.

MR. SOUTHAM TAKES THE CHAIR

Mr. Taylor: Mr. Chairman in this respect it looks like it's going to be the 15th of May before this thing gets here and the only thing I can see to do is to carry on. We have the Public Service Ordinance, plus the balance of the budget plus the matter of liquor, and I think that we should make every effort to carry on as far as we can and when we run out of work to do, recess until the 15th and it will give us a few days to maybe get home and catch our second wind and then when we do come back all we'll have left is the financial matters. But I certainly cannot agree that Ottawa have acted as expediently as they could in this regard. I think it is a disgrace that they have left this so long. They found a way to look after the Northwest Territories and all the Provinces but the little Yukon agreement seems to have gone by the board and I think that Ottawa are aware of the feelings of Council in this regard. I think it is a very poor way to treat a little Territory like ours and I think that were we autonomous and able to exercise self-government we would darn well see that this type of thing wouldn't happen. But this is a good example of what can happen under a bureaucracy - and this is a bureaucracy gentlemen, you may laugh but let's face it, you are a crown colony in a time in history when these things are no longer vogue, shall we say. I certainly deplore Ottawa's attitude in this regard and in the lateness of coming up with this agreement. But I think we can usefully get through the balance of the material we have

on hand possibly next week and it might shorten our recess to maybe a week but these are my feelings. I am put right out about this quite frankly.

DISCUSSION: FISCAL AGREEMENT

MR. TAYLOR RESUMES THE CHAIR

Mr. Chairman: Anything further gentlemen in this or do you wish to proceed.

Mr. Southam: I agree with Councillor Taylor, and there is only one way to cure it and that's to vote Liberal gentlemen!

Mr. Shaw: I would suggest Mr. Chairman that we proceed to Bill #16.

BILL #16

Mr. Chairman: Is Committee agreed?

Committee: Agreed.

Mr. Chairman: Bill #16 - An Ordinance for granting to the Commissioner certain sums of money to defray the expenses of the public service of the Territory.

READS BILL #16 AND ALL ITEMS CLEARED BY COMMITTEE

Mr. Chairman: Proceed gentlemen.

Mr. Shaw: Mr. Chairman I move that this Bill be passed out of Committee without amendment.

MOTION RE BILL #16

Mr. MacKinnon: I will second that motion Mr. Chairman.

QUESTION CALLED ON THE MOTION

MOTION CARRIED

MOTION CARRIED

Mr. Chairman: I wonder gentlemen what is your further pleasure at this time?

Mr. MacKinnon: Mr. Chairman I move the Speaker now resume the Chair and hear the report of Committee.

MOTION: SPEAKER DO RESUME CHAIR

Mr. Southam: Second the motion Mr. Chairman.

QUESTION CALLED ON THE MOTION

MOTION CARRIED

MOTION CARRIED

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

Mr. Chairman: Mr. Speaker: Committee convened at 10:45 am to discuss bills, memorandums, sessional papers and motions. Mr. Commissioner attended Committee to discuss Bill #9. Committee recessed at 12:00 noon and reconvened at 2:00 pm. Mr. Baker and Mr. Thompson also attended Committee to discuss matters related to Bill #9. I can report progress on Bill #9. It was moved by Councillor Shaw and seconded by Councillor MacKinnon that Bill #16 be reported out of Committee without amendments. This motion carried. It was also moved by Councillor MacKinnon and seconded by Councillor Southam that Mr. Speaker do now resume the Chair and hear the report of the Chairman of Committees. This motion also carried.

REPORT OF CHAIRMAN OF COMMITTEE

Mr. Speaker: Thank you Mr. Chairman. Gentlemen, you have heard the report of the Chairman of Committees. Are you agreed with the report?

Council: Agreed.

Mr. MacKinnon: Mr. Speaker, I move that Council waive the rules at this time in order to give third reading to Bill #16.

MOTION TO WAIVE RULES RE BILL #16

Mr. Southam: Second the motion Mr. Speaker.

MR. SPEAKER READS THE MOTION

Mr. Taylor: Mr. Speaker, speaking on the motion I would just wish to say that it requires unanimity to revert to the orders of the day and though I am not in agreement with the Bill I will go along so as not to impair Council's ability to do this to give it consideration of third reading but I wish it to be understood that this does not necessarily mean that I agree with the Bill.

DISCUSSION ON MOTION

Mr. Speaker: Thank you Mr. Taylor. Have we any further discussion on the motion?

QUESTION CALLED ON THE MOTION

MOTION CARRIED

MOTION CARRIED

Mr. Speaker: I am prepared to receive a motion for third reading on Bill #16.

Mr. MacKinnon: I move that we now give third reading to Bill #16.

MOTION RE BILL #16: THIRD READING

Mr. Southam: I'll second the motion Mr. Speaker.

MR. SPEAKER READS THE MOTION

Mr. Taylor: Mr. Speaker, I have something I would like to say on this motion. It is again deplorable that the Federal Government have placed the people of the Yukon Territory in a position whereby we have to grant them one month's money, or to ask us for one month's money to continue the business of the Territory. It is my understanding that in granting such money when Council do grant these sums that it is only for operating and maintenance and that the capital side is generally left alone. I think it is completely and utterly unfair to the people of the Yukon Territory to place its elected representatives, who of course act on their behalf, in a position whereby through the failure of the Federal Government to bring before the people of the Yukon and its Council an agreement, it is unfair that they should place them in a position where we may have to withhold a budget which would provide for the construction of schools, hospitals, nursing stations and those things essential to the general well-being of the Territory. However, it must also be recognized that this matter has got to be looked at in some way and I cannot honestly say, Mr. Speaker, and I don't think any honourable member could at this time, how we can go to our people and say, well gentlemen, you have no school, you have no hospital because

DISCUSSION ON MOTION

DISCUSSION MOTION RE BILL 16 THIRD READING

the Federal Government did not see fit to hasten up and prepare an agreement for us in time. This agreement was due on the 1st day of April and we are now long beyond this point. And how we can go back to our constituents and reconcile the fact that the only way we can build these schools and get these projects on the road is to accept the fact that Ottawa has a gun at our heads, and when they have a gun at the head of every Councillor at this table they virtually have a gun at the heads of all the people of the Territory and gentlemen I say that this is a great national shame. If the people of Canada knew what was going on in relation to the bureaucratic control by the Federal Government, and I am talking about the civil service level, not the political level, I think that you would see us progress to a position where we wouldn't wind up in a position such as this. Therefore Mr. Speaker I am not prepared to lend my vote to those who would pass and approve these funds. I feel that Ottawa have created this mess in relation to this one-twelfth, which of course does not deal with the capital side really; I feel that Ottawa should be able to come up with emergency funds to give to the Territorial Government and the people of the Territory until such time as it can conclude its agreement with the people of the Yukon. For these reasons I am voting contrary to this Bill.

Mr. Watt: Mr. Speaker: I would just like to say that the Honourable member who has just finished speaking had a chance to vote and throw this Bill out. It's merely a bill to help with the housekeeping expenses, to pay for the ink to record the words of the Councillors who are spending most of the time speaking for the record. If the honourable member wanted to stand beside his constituents he could have voted against this coming back into Committee without a bunch of these speeches. I think that a member that votes one way and speaks another is wasting the Territorial Councillors' time Mr. Speaker and I certainly know that the Territorial Government has got to operate irregardless of what happens and I suggested when we first started that we sit in the evenings ans start to despatch the work here as fast as we could and I assure you that those who are complaining the most...

Mr. Speaker: Would you stay with the Bill? That is the discussion please Mr. Watt.

Mr. Watt: Yes, I've wasted the most time here. And I think that Ottawa will co-operate in the fullest and if we give them more to work with in the way of being consistent in our demands on whether it was a two-year agreement or a five-year agreement they would have had more to work with to begin with and it is not all Ottawa's fault, it's our fault as well. I know that the Administration has got to have this money for the next thirty days and I certainly agree with it and I hope they go ahead and are able to carry on the calling of tenders and I hope that the Territorial Council of the future will carry on this work and complete it with despatch.

Mr. Speaker: I would like to mention Mr. Watt that the member from Watson Lake did explain the reason for voting to have this Bill brought back to Council. I think that is well understood.

Council: Clear.

Mr. Speaker: Are you ready for the question on the motion gentlemen?

Council: Question.

Mr. Speaker: Are you agreed with the motion.

Council: Agreed.

Mr. Speaker: Thank you gentlemen. We have the title to process.

Mr. Taylor: I wonder if there are any contrary to the motion Mr. Speaker?

Mr. Speaker: I beg your pardon. Are there any contrary?

Nr. Taylor: Contrary.

Mr. Speaker: Would you so record Mr. Clerk.. My apologies Mr. Taylor. We have the title to process gentlemen.

MOTION RE TITLE

Mr. MacKinnon: Mr. Speaker I move that title be set to this as written.

Mr. Watt: I'll second that Mr. Speaker.

Mr. Speaker: It has been moved by Councillor MacKinnon and seconded by Councillor Watt that the Title to Bill #16, namely An Ordinance for Granting the Commissioner certain sums of money to defray the expenses of the public service of the Territory be adopted as written.

QUESTION CALLED ON THE MOTION

MOTION CARRIED

Councillor Taylor contrary MOTION CARRIED

Mr. Speaker: Mr. Commissioner, on behalf of the Council of the Yukon Territory, I respectfully ask your assent to Bill #16, namely An Ordinance for Granting the Commissioner certain sums of money to defray the expenses of the public service of the Territory.

Mr. Commissioner: Mr. Speaker, I am pleased to give my assent to the Bill as enumerated.

Mr. Speaker: Now gentlemen, we have the matter that needs to be passed by vote of whether we sit tomorrow morning or sit on Monday morning. I will be pleased to entertain a motion. What is your pleasure?

Mr. Taylor: Mr. Speaker, we have before us the remainder of the supply bill and the deferred items and then we have the lengthy matter of the Public Service Ordinance and I would suggest that possibly on Monday we could complete with Mr. Baker and other departmental officials the Supply Bill, tidy up on sessional papers and then move to the Public Service Ordinance bill, if this is agreeable.

Mr. Speaker: Is that agreed gentlemen?

Council: Agreed.

Mr. Speaker: Now we have the required motion to not work tomorrow gentlemen.

Mr. Taylor: Mr. Speaker: I would move that Council do not sit again until Monday morning at 10:00 o'clock.

MOTION TO ADJOURN UNTIL MONDAY

Mr. Southam: I'll second the motion.

QUESTION CALLED ON THE MOTION

MOTION CARRIED

MOTION CARRIED

Mr. Speaker: I now require a motion for adjournment if that is your pleasure gentlemen.

Mr. Watt: Just one question about the agenda. Is there anything firmed up about the date that the Liquor Ordinance will be discussed?

Mr. Speaker: Not that I am aware of. It is for Council to set the date Mr. Watt when the Ordinance is completed. Mr. Legal Adviser could you tell us when the Liquor Ordinanne amendments will be available for Council?

Mr. Legal Adviser: I understand Sir that there were three messages from the Commissioner which were to serve as a basis for discussion to enable the Administration to catch Council's thinking on some questions and to enable me to begin the work of preparing instructions to the draftsman. There may be in the course of a discussion questions which will erase or call for immediate attention but at the moment there is no draft ordinance as such that I am aware of. Mr Speaker:

Mr. Speaker: I believe gentlemen we do have sessional papers in reference to that of which we haven't given attention to today. Possibly we might be able to do that on Monday.

Mr. Watt: Do you think we could arrange our schedule so that we could take a few days off for a hunting season. This seems to be dragging on for so long, and see if we can arrange to prorogue within the next month.

Mr. Speaker: Well we have to get on with the business or we may be the hunted, instead of the hunter. I think we can go through those sessional papers at the first opportunity and then the Administration will be better informed on how to go about the ordinance and I think at that time we could get a more direct answer.

Mr. Southam: Mr. Speaker, I move that we adjourn.

Mr. Watt: I will second that.

QUESTION CALLED ON THE MOTION

MOTION CARRIED
Council adjourned to
10:00 am, Monday next

Mr. Speaker read the daily prayer and Council was called to order. Councillos Watt, Thompson and MacKinnon were absent.

Mr. Speaker: Have we a quorum, Mr. Clerk?

Mr. Clerk: We have, Mr. Speaker.

Mr. Speaker: The first item on the Agenda is the correspondence. Have we any correspondence, Mr. Clerk?

Mr. Clerk: I have no correspondence this morning, Mr. Speaker.

Mr. Speaker: Is there any other correspondence? If not, we will proceed to Reports of Committees. Have we any Reports of Committees? We have no Bills to introduce. Have we any Notices of Motion and Resolution? If not, we will proceed to Orders of the Day. Have we any Notices of Motion for the Production of Papers?

Mr. MacKinnon enters the Council Chambers.

Mr. Speaker: There are no Motions for the Production of Papers. Are there any Motions? We have Motion No. 21 referred to Committee. Motion No. 28, Mr. MacKinnon.

Mr. MacKinnon: Mr. Speaker, I beg leave to give Notice of Motion re Motor Vehicles.

Mr. Speaker: Councillor MacKinnon, it is too late for Notices of Motion. We are on Motions. We have Motion No. 28, moved by yourself, with respect to Electrical Requirements at Pelly River. Do you wish to discuss this this morning?

Mr. MacKinnon: Yes, Mr. Speaker. Moved by myself, seconded by Mr. Watt, re Electrical Requirements at Pelly River. "It is respectfully requested that administration negotiate with the Indian Department to extend power lines and wiring of native homes to the village of Pelly River as soon as possible in view of the after hour studying by school children." May I proceed, Mr. Speaker? MOTION #28

Mr. Speaker: Proceed, Mr. MacKinnon.

Mr. MacKinnon: I believe everybody is quite well aware of the circumstances at Pelly River.....

Mr. Thompson enters the Council Chambers.

Mr. MacKinnon: ...and the necessity of electrical wiring in that particular village. We already have the machinery there. Yukon Electric have established a power house to supply the school which would have adequate power to supply the village. In discussions at our public meeting at Pelly River, it was felt that a Motion through Council would be of assistance to the Indian Department in order to get power line and wiring established in the village as soon as possible. It is something that most other villages already have and it is just merely asking for negotiations between our Administration and the Department of Indian Affairs which seems to be necessary to get a little faster action.

MOTION #28

Mr. Taylor: Well, Mr. Speaker, as the Member said, most Members are aware or supposedly aware of the situation at Pelly. I see no need for the Motion at all. First of all, the Indian Affairs are wiring the houses first thing this summer. The second thing is that Yukon Electric are putting a pole line to the Indian Village at Pelly, and the whole project, including the wiring of the houses and the installation of power at the Indian settlement, is expected to be completed in late July. Thirdly, they are going to put a building and a larger plant in at Pelly...that is the Yukon Electric...to adequately take care of this additional line. So Indian Affairs are doing...they are wiring the houses. I have gone down and I have spoken to both Indian Affairs and Yukon Electric. That's where I got my information so there is no need for the Motion.

Mr. MacKinnon: Well....

Mr. Speaker: Order. Do you wish to close the debate Mr. MacKinnon?

Mr. MacKinnon: I might as well, Mr. Speaker. It's nice to see that Mr. Taylor knows more about this than the Commissioner. He usually does. He knows more about things than anybody else.

Mr. Speaker: Mr. MacKinnon, would you confine your debate to impersonalities please.

Mr. MacKinnon: It's something that...when I first started this electrical wiring plan for the Native Villages that Mr. Taylor opposed at that time and, nevertheless, a Motion through Council did give a lot of power to the initial wiring of the Carmacks Indian Village which was the first one in the Yukon. I have been told by the Indian Department that it gave them a lot of support by putting that Motion through Council. Now, when it came time to have a school at Pelly River, Mr. Taylor also went against that but I have been told by the Indian Department that it was very beneficial...the support of Council on this particular matter seeing that their Minister is our Minister. I don't know why Mr. Taylor wants to continually come up with this type of thing. There is no need for the Motion. It's no good. He's not here to work for the people. He's here to kill time and if he want to, he can vote against it like he does every other Motion I put in. I don't expect anything from him because there is nothing behind it anyway. Nothing at all.

MOTION CARRIED

MOTION CARRIED

Councillor Taylor voted contrary to the Motion.

Mr. Speaker: The next one is Mr. Watt. He's not here. The next item would be questions. Have you gentlemen any questions of the Commissioner? If so, we will see if he is able to attend. If not, we will proceed.

Mr. Taylor: I have a question I would like to direct to Mr. Clerk. Are our flags back yet?

QUESTION RE FLAG

Mr. Clerk: No, they are not back this morning. I'll check right away.

Mr. Boyd: Mr. Speaker, I have a question. Today there is a meeting of the Metropolitan Planning Committee of which Mr. Thompson, Mr. Watt and myself are part of that Committee.. at two o'clock. I just had this handed to me now. I wonder what Council's opinion is on this. Should we attend this meeting at two o'clock, or should we ask them to defer it, or what? We will obviously be out of Committee for I would say a half an hour.

Mr. Speaker: Well, gentlemen, of course of the other Members are here we can still carry on with the business. It would depend on how long you would be away. Did you have any definite period of time, Mr. Boyd, in which you would feel that this Metropolitan Planning Committee would require your presence?

Mr. Southam: Mr. Speaker, which is the most important - the Territorial business or the City's? That's what it sounds like to me.

Mr. Taylor: Mr. Speaker, I wonder if this meeting could be programmed for one o'clock instead of two o'clock thereby allowing the Members to attend both.

Mr. Speaker: That's a very good question. Mr. Boyd, could you answer that question?

Mr. Boyd: I wonder, Mr. Speaker, if you would consider a recess for say five minutes and give me a little time to find this out.

Mr. Speaker: That will be very easily accomplished. There was one question I have gentlemen. Have you any questions you wish to ask of the Commissioner? If so, we will see if he is available. No questions. Thank you very much. I will call a short recess at this time.

Mr. Speaker: I will call this Council to order. What is your pleasure at this time. We have no Public Bills and Orders. No questions.

Mr. Boyd: What about Bills? Is that completed?

Mr. Speaker: There are no more Bills.

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. Taylor will take the Chair in Committee of the Whole.

Mr. Taylor: Gentlemen, we will be having Mr. Baker with us very shortly and we will be discussing Vote 20, Page 12. I will declare a short recess.

Mr. K. J. Baker, Territorial Engineer, and Commissioner Smith enter the Council Chambers.

BUDGET
VOTE 20

Mr. Chairman: At this time, I will call Committee to order. We are discussing Vote 20, Page 12. Have you anything further on Housing? If not, the next item is Territorial Roads, Unallocated.

Mr. Commissioner: What item are you on, Mr. Chairman?

Mr. Chairman: Item no. 2983, Territorial Roads, Unallocated, $40,000.00.

All: Clear.

Mr. Chairman: The next item is South Access Road to Whitehorse, $150,000.00.

Mr. Shaw: One thing, Mr. Chairman. This road...is that where that section goes around and you have a certain amount of debris put in there already?

Mr. Boyd: Yes.

Mr. Shaw: Well, I was wondering, Mr. Chairman, that due to the fact that that has to be built up to quite an extent, would it be possible to pave this this year before it has settled down for a year?

Mr. Baker: Well, Mr. Chairman, this particular section that Councillor Shaw refers to is actually within the City of Whitehorse and, therefore, is a City of Whitehorse problem. The money that we have requested here only allows us to pave from the Alaska Highway down to Sixth Avenue in Whitehorse.

Mr. Commissioner: Approximately the railway track crossing, Mr. Chairman.

Mr. Baker: That's right.

Mr. Shaw: Do I get this right, Mr. Chairman. You pave from the Alaska Highway all the way down to the City Limits?

Mr. Baker: Yes.

Mr. Shaw: For $150,000.00?

Mr. Baker: Yes.

Mr. Commissioner: Remember, Mr. Chairman, that we have already spent several hundred thousand dollars in preparation. This is only the black-top because...what two years of preparation, Mr. Baker?

Mr. Baker: That's correct, Sir.

Mr. Commissioner: Two years of preparation work has already been done at considerable cost, Mr. Chairman.

Mr. Shaw: That would be about $75,000.00 a mile.

Mr. Baker: Approximately, Mr. Chairman, that would be the figure.

Mr. Shaw: Just one other matter. What about this section of road that goes along there and has to be completed? I was there yesterday and I note you turn from the road and you go over a bunch or railroad tracks and through some bog

Mr. Shaw continues: BUDGET
holes and that's the area where all that junk is located. VOTE 20
It looks like a City Dump right now. Where you go along..
is that going to be filled in this year?

Mr. Baker: Mr. Chairman, I don't know. As I said before, this is a problem for the City of Whitehorse.

Mr. Shaw: Oh, that's the City. I see.

Mr. Commissioner: Mr. Chairman, we have already been directed by Council as per previous discussions to have a meeting with the City people to see what...where we might find some common ground to assist with regard to the completion of that due to the fact that the work that has already been done is in danger of being lost with the high water of the River. Council instructed on this matter, Mr. Chairman, approximately four or five days ago.

Mr. MacKinnon: Mr. Chairman, in view of the meeting for some of our Members with the Metropolitan Planning Committee, maybe we should leave this matter until after they meet...to see what they plan to do.

Mr. Boyd: No, Mr. Chairman. This meeting has no bearing on it at all. I think....Mr. Watt made a Motion four or five days ago asking that Administration get together with the City with a view to getting this road completed and that's where it stands.

Mr. Shaw: Mr. Chairman, I am quite in accord with this. I was just trying to get some information. I was driving up that way yesterday...I took the opportunity...and I sized up the situation and I am trying to orient what is going to be done and what you intend to do. I think I have a fairly clear picture now. I just hope you do make some deal with the City because it would be unfortunate if you had a dead end road there.

Mr. Watt: Mr. Chairman, could I just mention something. Possibly Mr. Baker could clarify it. This could be either allowed for unallocated roads or with respect to Two Mile Hill and that is the Robert Service Cut-Off. I know there was a little bit of work done on it last year but if they plan to pave the Two Mile Hill this year, then there should be some upgrading done on the Robert Service Road Cut-Off so that the traffic swing over to the right sooner...as it slows down to make the turn...it doesn't back up traffic all the way along. There has been several accidents there this winter. Every year there are several accidents. This is a bad turn. If traffic coming down has to stop on the way down the hill and cross the one lane of traffic and then anybody turning in slows down a string of traffic behind it. I think this is the most dangerous corner in the whole Yukon Territory and I know that the Engineering Department has upgraded that a bit last year but I think that consideration should be given.. possibly it is already. Possibly Mr. Baker can explain the situation.

VOTE 20

Mr. Baker: Well, Mr. Chairman, we did do some work there last year late in the fall as far as widening is concerned and it is our intention this year to finish that project up and to pave the widening so that traffic will have the minimum of trouble at the corner.

Mr. Watt: Is the funds...just under Unallocated Funds... is that where....

Mr. Baker: This will be 100% recoverable from the Federal Government. They have an establishment set up for miscellaneous and minor projects under $15,000.00 and we intend to request the Federal Government for money out of that particular establishment.

Mr. Watt: Mr. Chairman, that was my concern and I am certainly glad that the Engineering Department has it under consideration...particularly important this year if we are paving it. It should be done. Thank you very much, Mr. Baker.

Mr. Southam: I hope Mr. Baker will spend a little bit of that cash up around my way too for a change.

Mr. Boyd: You are leaving.

Mr. Southam: I may be leaving but the Mines will be there longer than either you or I.

Mr. Shaw: Mr. Chairman, is this a separate project for paving .....outside of the existing...incorporated in the South Access Road paving around Robert Service Park?

Mr. Baker: Robert Service Road, Mr. Chairman, is on Two Mile Hill..up by the N.C. Company.

Mr. Shaw: Mr. Chairman, you sure have got Robert Service scattered from one end to the other.

Mr. Commissioner: Mr. Chairman, how the Robert ever got put in front of the service as far as this road is concerned will forever remain a mystery. This road was put in there and was known as a service road and it was put in originally to allow servicing by road to the White Pass and Yukon Route fuel dock when the riverboats were on the river and goodness only knows, one day out of the clear blue sky, here all of a sudden we find a sign on here "Robert Service Road" so I am afraid that where the extra word came from, I have no idea. I have often wondered Mr. Chairman.

Mr. Chairman: Are we clear, gentlemen, on South Access Road into Whitehorse, $150,000.00?

All: Clear.

Mr. Chairman: Recreational Roads, Unallocated, $30.000.00.

All: Clear.

Mr. Chairman: Territorial Parks Development, $50,000.00. Here again, speaking from the Chair, I can see no way that this money can be expended this summer. Is it wise to leave it here.

All: Clear.

Mr. Chairman: Next is Marina Development, $5,000.00. VOTE 20

Mr. Watt: Mr. Chairman, I would like to ask Mr. Baker.... I had a submission to myself re Marina Development with respect to a type of development on the Schwatka Lake. I suggested at that time that there was very little or practically no funds unallocated or committed in the Whitehorse West Community Development Fund and I thought that assistance may be given...some relief may be given under this Marina Development Fund. Has a submission been made to you by the Chamber of Commerce or any other body such as that for a Marina Development at Schwatka Lake?

Mr. Baker: Yes, Mr. Chairman, we have had representations from this particular group and it is our intention this year to take some of this $5,000.00, if it is approved by Council, and create a new Marina on Schwatka Lake.

Mr. Watt: Thank you very much, Mr. Baker.

Mr. Southam: Mr. Chairman, I hope that Mr. Baker in his wisdom sees to be able to throw a little bit of this money up the Ethel Lake country. There's quite a few boats in around there and no way of getting down to the water so I understand so let us spend a little bit up around the hinterland once in a while.

Mr. Shaw: That Lake is used by pretty near all the vacationers up in that area. It's the only lake that is handy. It provides recreational facilities for two Electoral Districts. It is the only accessable lake that has the qualifications for being called a real recreational lake. I agree with Councillor Southam...it's in his particular constituency... that that road should be improved a little bit...there's pretty steep grades. As it is, it is restricted. A trailer cannot go in there. An average car with just a very light boat on the back power out on some of those hills. I think that it is a wonderful job that is being done to date and I think the Engineering Department should be commended for it but perhaps a little improvement every year until we get it up to standard would be most desirable.

Mr. Watt: I would also like to...when this program was first initiated, the Engineering Department at that time requested that suggestions be made by Councillors of any locations that had been brought to their attention that should warrant consideration and some people in my constituency have asked that I bring up and have this Lake Arkell area mentioned for consideration because there are a couple of mountains being named and climbed in the area this year and I understand it is a pretty nice beach...pretty nice area, but the ground near the lake is soft and it is very difficult to get in. I would like to mention that and have the Engineering Department consider that as well. Thank you, Mr. Chairman.

Mr. Thompson: Yes, Mr. Chairman, further to that, I think all the Councillors got a letter from the Whitehorse Lions Club with reference to this Lake Arkell project and I think it might be worthy of consideration. There were some comments around the table that there was no available land because it had been all leased so this may be a problem that would have to be taken into consideration.

Mr. Southam: Mr. Thompson, are you referring to the Whitehorse Councillors?

VOTE 20 Mr. Thompson: Possibly.

Mr. Southam: I just want to make sure that he is not talking out of turn.

Mr. Chairman: Gentlemen, are you clear on Marina Development?

All: Clear.

Mr. Chairman: Next is Campground and Picnic Area Development in the amount of $45,000.00.

Mr. Watt: Mr. Chairman, I would like to say that I think that the Robert Service Park should be in this Campground and Picnic Area Development and should be under the Control of the Territorial Government. I have said that from the beginning, before the first tree was removed and if we had control of it then, we would still have control of it now and things wouldn't have created such difficulties as has been done. I don't know what the rest of the Council thinks but I think that this should be...this is my opinion...this should be under the Territorial Campground Plan and tenders should be called for this as well as other campgrounds for the servicing of it. It would be roughly on a par with Wolf Creek and the rest of the Territorial Campgrounds. I think this would eliminate a lot of hard feelings and difficulties in the town of Whitehorse here. They have a privately operated campground known as Chenachee, a fine Indian word meaning rest in peace. Well, since it was started, I and a lot of other people haven't been able to rest in peace. I would like to suggest that this be in...this Robert Service Park...be included in this Campground Picnic Ground area development. Could Mr. Commissioner comment on this?

Mr. Boyd: Just a minute before the Commissioner comments. Perhaps some Councillors would like to comment.

Mr. Southam: Well, Mr. Chairman, I can see no reason why this Park should be a Territorial liability. That's a good word. The City of Whitehorse gets the most out of this... the business people of Whitehorse get the most out of it and I don't see no reason whatever why the City of Whitehorse don't take it up under its wing and make something out of it. It's got a golden opportunity if they want to use it. Why should the Territory have to do this? I think it would be far better for the Territory to get a little on the outside...outskirts of the City...and make a few more stopping places, a few more picnic sites along the road and this sort of thing. Let the City look after the Robert Service Park. They are getting the benefit of it and if they up-date it, they will get more benefit out of it and this is what I think should be done. Turn it over to them and let them have it. I think they've got it anyway.

Mr. Boyd: I am rather surprised that the Councillor brings this up. It has had more than its share of discussion..ten times more than what is normal for anything. I am really surprised. Furthermore, he mentions this Chenachee...rest in peace or something I think he said. It will rest in peace if you get what you want done.

Mr. Watt: What do I want done.

Mr. Boyd: You want the Territorial Government to make sure they rest in peace. That's what you are suggesting... at the expense of the taxpayer. I don't want to discuss this park in any way, shape or form other than what I have said now but if it's going to be dragged out and carried on in any one man's opinion, let to be considered as worthy of acting or publicizing and so on, then I will get into the argument. VOTE 20

Mr. Watt: Well, Mr. Chairman, Mr. Boyd has put a lot of words in my mouth which might not be there. He's assumed a lot of things and he jumps up and down and says right off the bat that he doesn't want to hear anybody else talk about anything. Now, I'll gladly excuse you for a little while if you want and I won't give you a silver star or anything for it but the Territorial Council, right at the beginning when this Park was first started...the Territorial Council as a whole went on record as suggesting that this be under the jurisdiction of the Territorial Campground Plan. There was one holdback and that was that the Federal Campground system had a stipulation that it couldn't be within a certain distance of a municipality or a community. I understand that they have one within this distance at Dawson City and they could have easily made an exception for it here as well. I would just like to stay on record as saying that this should be under this Yukon Campground and then we've got some control under it. Right now, Territorial money has been put into it but we have no control over it and anytime that we put money into something, we should have control over it. I do have a letter I was looking for in which the Commissioner of the Yukon Territory had stated that if a fee was charged for this Park, then they would come under the Trailer Park Regulations of the Yukon Territory and have to comply with these Regulations. I have this letter....I thought I had it with me but I haven't...I was looking for it. It was signed by the Commissioner of the Yukon Territory when this Park was set up and since that they have been charging and they have not had to comply with the stipulations under which it was set up. I will definitely state that. If this was under the control of the Territorial Government, then we would have the say in how it was run.

Mr. Shaw: Dawson City has been referred to, Mr. Chairman. The nearest campground is across the River. They couldn't build one within two miles because there's no place for it, except what the City themselves put up. The campground is on the other side of the River. It wouldn't be even a half a mile but it's the only place that you could possibly have it...on the other side of the River. You couldn't go up on top of the hill. It's just like the hills here so it's on the other side and it's only accessible by ferry back and forth. It's hardly within the confines of the City.

Mr. Chairman: Are we clear, gentlemen, on Campground and Picnic Area Development?

All: Clear.

Mr. Chairman: The next item is the Building Contingency Fund of $355,000.00.

All: Clear.

Mr. Chairman: Next is the Riverdale Subdivision, $1,250.00. I would like to ask one question from the Chair. Is it planned that an area will be set aside where trailer owners can actually park their trailers and buy land?

VOTE 20 Mr. Baker: None that I am aware of, Mr. Chairman.

Mr. Southam takes the Chair.

Mr. Taylor: Mr. Chairman, I think this is something that is overlooked and it should be looked into, especially in Whitehorse here and that is there are a great number of people that are living in trailers and these trailers in very many instances represent a very substantial amount of money. They could cost $8,000.00, $10,000.00, $15,000.00 I suppose. There is no place for them to go. Over the weekend I had an opportunity of meeting some friends who were down in this trailer court here but they have been kicked out. Apparently the Canadian Coachways own the land down there and they have told these people that effective the end of the month their utilities would be cut off and they've got to be gone so some have been able to get land but you can't get land in Riverdale. You can't get land at Porter Creek. There's nowhere that these people can go except in the Marwell area so that is where they are starting to move now. I see the trailers starting to pull in but is it not conceivable that in 207,000 square miles of Yukon Territory that we could have a little area set aside for trailers where people could buy land...something to call their own. Is this possible?

Mr. Commissioner: Mr. Chairman, what the Councillor says... it is actually very acute and very, very true but I think, here again, that you are getting very close onto the edge of private enterprise and it has been in fact a situation here in Whitehorse for the last twenty years...since I have been here...that private enterprise has been in the trailer court business and have provided the necessary facilities and people have rented space from...you know from a private business organization...for their trailers to be located. Now, property in the downtown area of Whitehorse is becoming very valuable, particularly service property, and I suppose that other uses that are more economically lucrative than parking trailers on them are coming to the fore and as a consequence trailer parking companies, or trailer parking businesses, are just not too attractive to private enterpreneurs in the downtown area, however, I say this to you, Mr. Chairman, that there is nothing that I am aware of to prevent a private enterpreneur from buying surveyed property in Crestview, Porter Creek, and setting himself up in the trailer court business. In fact, the very thing that you have just finished dealing with here, the Robert Service Park...we are being continually told that there is no need for this because there is so much private trailer parking facilities either available or ready to be made available that there is no place in our economy for a Government operated transient trailer park so somewhere along the line and I don't know just where it is but something has to get together here and make sense and what the Councillor has just said here about the local trailer court here telling people that they must leave, or a goodly number of them must leave, and this is quite correct and by the same token, I think we have either three or four private enterpreneurs in the trailer court business who claim that they have space and facilities available within the confines of the Metropolitan area to take care of quite considerable number of trailers so there's the picture as I know it.

Mr. Taylor: Mr. Chairman, I am not suggesting at all that Government go into competition with private enterprise. I realize that there are places where you can go and park your trailer. I am not talking about that. These are people that don't want to go and live in some crowded little trailer court. They would like to have a little elbow room...maybe a tree or two on their lot. In other words, they would like to buy land upon which they can more or less permanently put their trailer.. put it up on a foundation sort of a thing and put a shed or a porch on it and make it look like something. This is what I speak of. VOTE 20

Mr. Commissioner: Let me ask this question, Mr. Chairman. Mr. Baker, do our Regulations in subdivisions preclude people using trailers...you know...buying a lot and putting a trailer on and using that as their home? Do our building Regulations preclude this or is this possible?

Mr. Baker: Just while you were speaking, Mr. Commissioner, I was trying to recollect whether or not this was the case and for the life of me, I don't recall any such Regulations which would prohibit trailers being used on Territorial or within Territorial subdivisions I should say...let me put it that way.

Mr. Taylor: Mr. Chairman, there is in fact but you are permitted only the use of a trailer during your construction period. After your construction period, your trailer has got to go again so you are not allowed in subdivisions. I do recall, Mr. Chairman, that the people of Watson Lake have for many years now asked that an area down there be set aside where each one can buy a lot and put a trailer in that particular zoned section of the Community and this has always been ignored. We have never really been able to get too far with it so I just thought this would be the place to raise it again because, as I say, there are a lot of people with trailers who would like to buy land and unfortunately, they have great difficulty in buying land which is zoned which would allow them, of course, to...permit them to set their trailers down.

Mr. Watt: Mr. Chairman, I certainly agree with the Member from Watson Lake. I couldn't agree with him more and I am glad that he brought it up and mentioned it. It is something that we really need in the Whitehorse area here and there is a lovely spot in my constituency called Canyon Crescent and it has been withdrawn from sale right now. It is a good area to service with sewer and water if the time ever comes. It is close to electricity. It's up out of the valley. It's up in the sunshine and the grass is green and everything. The lots are a good size and you have a nice little creek not too far away. I would like to back Mr. Taylor up and have the Administration seriously consider, if you so wish, to resurvey the lots a little bit smaller so you could sell them for trailer parking area but it is a lovely spot. It is close to Whitehorse and when we get that South Access Road paved, it is within handy distance of the City of Whitehorse so you can use the shopping facilities and school facilities and everything else that we have right here in town and it is land that the Territorial Government.....I assume that they already own it. It is a subdivision that has been withdrawn from sale and we would make nothing but money on it and it would serve as a real need in the Community here. I don't see where sufficient land is going to be acquired by anybody in lower Whitehorse in order to fill this particular need. I would like to hear the Commissioner's comments on this.

VOTE 20

Mr. Commissioner: With regard to the idea, I think it is a very pressing need. I couldn't think of anything else that might help considerably to alleviate possible housing... possibly help to alleviate the housing shortage, however, I say this to you that it is highly unlikely that the City of Whitehorse, within the scope of the City Limits, is going to make this possible, so if it is going to be possible, it will definitely have to be in a Territorial subdivision or an area that at the present time is open land. Also, I say this to you that if you were going to consider the thing, I think it is something that has to be gone into pretty deeply and I think it would be up to our Engineers and Municipal Affairs people to look into this and see what the possibilities are. Remember this, too, gentlemen, that you are right back into the old problem again that Councillor Taylor raised not too long ago here...what do you do for sewer and water if the lot is too small because the Health Regulations don't permit both a well and a septic tank on the same piece of property. Then, on the other hand, if you are going to go into subdivisions where you don't have total municipal facilities and services, what do you do at this particular time? I think there is a lot for consideration but I also feel, gentlemen, that it should be looked into very closely and very carefully and I would certainly ask Mr. Baker if he would undertake to get this matter investigated fully and see if there is anything, within the scope of our ability, that can be done in this regard.

Mr. Watt: Thank you very much, Mr. Commissioner.

Mr. Boyd: Mr. Chairman, I had a chap talking to me as much as six days ago. He tells me he has been trying now for eight months to get a piece of ground to take care of 500 trailers. His intention is to make the trailer camp or whatever you want to call it fully in accordance with the Laws, such as sanitation and everything else and he is having the utmost trouble getting by Administration and is becoming quite aggravated. Does Mr. Smith know anything about this? Does Mr. Baker know anything about this? And, has it any chance of succeeding if you do know?

Mr. Commissioner: Well, Mr. Chairman, it's the first I have ever heard of an application for property to service 500 trailers. This is entirely new to me.

Mr. Baker: It is new to me too.

Mr. Commissioner: Perhaps if we could be appraised of where it is and what it is, we will gladly look into it and give Council the information but I must plead total ignorance, Mr. Chairman, on this particular matter.

Mr. Boyd: Perhaps I will leave it as is. It will not be difficult for first of all Mr. Baker to find out what the score is and he can relay it on to you. This man...I meant what I said...he is becoming most anxious. He wanted to get this thing underway and he seems to be meeting a stall at all angles. I myself am quite concerned and I told him I would not do anything until he went a little further and that if he wasn't getting any further that he should come back to me or any Councillor for that matter and that was a week...so you can dig this up. While I'm up...I would be interested if Administration would give us a little bit of a clue on what your stand will be.

Mr. Chairman: I will call a short recess at this time.

PRESENT: Mr. Commissioner
Mr. K. Baker, Territorial Engineer

CHAIRMAN: Mr. Southam

Mr. Chairman: I will now call Committee back to order and we were discussing trailers. Will you carry on gentlemen. BUDGET: VOTE #20

Mr. Boyd: Well I am all clear.

Mr. Taylor: I certainly don't concur Mr. Chairman that Canyon Cresent should be subdivided into a trailer court but possibly the Administration should look into the problem and see if they cannot come up with some solution to this. There is a lot of people very much concerned about trailers and where they can go.

Mr. MacKinnon: I am not quite in agreement with this now. It's a matter of appropriating Government money to go against private enterprise again and I just don't like it, and I told you that there are people to be moved out of this trailer court down here but this same company is providing more space and they will be able to move into the trailer park. I don't think there will be any existing problem at all. In a subdivision it's quite permissable to put a trailer in and put it on a foundation as you will find at Haines Junction. There is a lodge there that is just plain trailer units set on a foundation within that subdivision and there's many of them through the Territory so there's no existing problem. If somebody wants to buy a lot at Porter Creek and put his trailer on a foundation he can do it, all he has to have is the amount of floor space that is required. But to leave a bunch of trailers sitting on their wheels I don't think this is a very appetizing sight within the city linits and I don't think it is quite fair to private enterprise to even give it a thought of establishing something like this because you continually steal the business away from private enterprise and what are you going to have when you have got 90% government, and maybe it's close to 80% now, then you have nothing at all, and we've got little enough as it is and I am definitely against any promotion of this type of thing.

Mr. Taylor: Mr. Chairman I just wanted to make the point that I am not talking about conflicting with enterprise, I am talking about areas where people can buy land for themselves and not go to a trailer court.

Mr. Chairman: Anything further gentlemen? Are you clear?

Committee: Clear.

MR. TAYLOR RESUMES THE CHAIR

BUDGET: VOTE #20

Mr. Chairman: Next is Macrae Industrial Subdivision: $32,000.00.

Mr. Boyd: Mr. Chairman, does Mr. Baker feel that this will be done, that it is necessary this year or will it probably be postponed to another year?

Mr. Baker: If there is demand for such property in Macrae this year we will go ahead, if there is not demand then the money will not be spent.

Mr. Shae: Does this mean exactly what it says - "industrial Division" - 1 no residences.

Mr. Baker: This is correct Mr. Chairman.

Committee: Clear.

Mr. Chairman: Watson Lake subdivision: $10,000. One question: would there be enough funds available to raise that road that goes across to the separate school. I believe that is sinking. Now would there be enough funds to fix that up this summer?

Mr. Baker: I believe so.

Mr. Chairman: Teslin Subdivision: $20,000.00.

Committee: Clear.

Mr. Chairman: Haines Junction subdivision: $11,700.00.

Committee: Clear.

Mr. Chairman: Mayo Subdivision: $10,000.00

Committee: Clear.

Mr. Chairman: Beaver Creek subdivision: $15,000.

Committee: Clear.

Mr. Chairman: Carcross Subdivision: $33,390.00. Keno Subdivision: $19,100.00. Carmacks subdivision: $10,000.00. Porter Creek - Water System in the amount of $212,695.00. Councillor Thompson?

Mr. Thompson: Thank you Mr. Chairman. It's been many a long year I have waited patiently for this moment: Agreed. As I say it's very gratifying to see this in here and I trust that with your usual good judgment you will see fit in your wisdom to pass this without undue lingering. Thank you.

Mr. Shaw: There is one thing I am not clear on Mr. Chairman. Perhaps the question could be answered by the Commissioner. I am very happy, possibly along with other members of Council, to see that we are embarking on this very worthy project. I believe this will require a vote or a plebiscite of some sort amongst all the residents and I wondered how that will be

worked on. What I am thinking about is that right now they have no council or anything like that and before these people do have to pay for this particular water system they will need to have some sort of a plebiscite and I wonder how that will turn out so that they may know exactly what they are faced with. BUDGET: VOTE #20

Mr. Commissioner: Mr. Chairman, I brought this matter up when I first went into this and it is certainly my contention and I feel that when I was a ratepayer in the City of Whitehorse and they were going to put in a sewer and water system I had an opportunity to go to the polls and vote either yes or no as to whether or not I wished to undertake the burden of frontage costs and monthly (inaudible) placed against me for that system and I feel personally very strongly that any person who is going to be subject to charges for local improvement should have that opportunity to express himself at the polls in the proper manner. Now this question came up and I have not had any opportunity to speak personally with the Legal Adviser on this subject but perhaps at this time he might like to say a word to Council in connection with the manner of dealing with plebiscites in an unorganized area. I do believe this may call for some particular action as far as Council is concerned but I am not too familiar with it and I would ask Mr. Chairman that Mr. Legal Adviser may have something to offer.

Mr. Legal Adviser: Speaking without any preparation on this question, it has been noticed that we don't have satisfactory machinery for holding a plebiscite and we have been looking at a method used in the Provinces regarding a Plebiscite Act or Ordinance. Now I have only just begun to delve into this thing so I don't feel that I can make a useful comment today. I might be able to amplify tomorrow or the day after. The difficulty is that we have not devised a regular procedure in places outside the municipalities. May I study the matter for a day or two and come back? I am sorry, I can't give a complete answer at this time.

Mr. Thompson: Mr. Chairman, I wonder if I could ask the Councillor from Watson Lake how the area there would cope with this problem. I would also bring to your attention that the Area Development branch conducted a survey last year in Porter Creek with reference to this and although the firm costs were not available to them the overall majority of people were very pleased at the possibility of being able to look forward to partaking of this necessary service. Here again I think that the capital cost share for the private users is based on $150,000 and I think to be equitable on this basis for all concerned that regardless of the individual usage of the system I think that each taxpayer in the area should stand his just share and I feel that this is the only equitable way to divide the capital costs up. The normal operating costs are something again; if a person doesn't want to avail themselves of the services this is entirely up to himself but if the service is there and goes past his door I think we should give charge but I am just wondering after all of this time I don't particularly want to find any stumbling blocks in the way and if it is going to be a matter of another two or three months while a plebiscite is arranged or while the Administration go

BUDGET: VOTE #20

through the formalities of organising this, we are past the summer and it is conceivable that work wouldn't get started this summer and I think it is everybody's hope, particularly in this area, that we could start in this area. But to get back to the Question, I am now wondering how Watson Lake did this They have a system and I don't think they were a local improvement district at that time.

Mr. Chairman: Speaking from the Chair gentlemen, a poll was conducted for the propsed system and the ratepayers were told exactly how much it would cost them and what frontage taxes would be, and at that time they had the chance of saying if they were in favour of it or not in favour of it.

Mr. Commissioner: Excuse me, Mr. Chairman, was this done by secret ballot or an open meeting or...

Mr. Chairman: No, Area Development went to each individual involved.

Mr. Boyd: Is each land owner assessed for the footage that goes past his door whether he useher it or not?

Mr. Chairman: Right.

Mr. Commissioner: I hope that I didn't infer to Councillor Thompson that I was trying to put any road blocks in the way and stalling the water system at Porter Creek but I simply say this, that I think that we are duty-bound to see that there is some proper approach made to the individual who is going to be involved in paying the charge that is involved in this thing and whatever machinery this is to be I think that it should be approved by the Council before the machinery is given effect to and I would ask the Legal Adviser to come back and just let us know what might be done with this but certainly I am very hopeful that it isn't a matter that is going to delay off into the indeterminate future. I also say this to you Mr. Chairman that in an area such as Porter Creek we have many many new property owners in total, or should I say the total number of property owners is very much greater than it was a year or so ago when I believe there was a preliminary investigation involved and also it should be a very straight forward matter now for our Engineering Department to come up with closer figures than was possible a year ago.

Mr. Shaw: That is all my question was, Mr. Chairman. I am certainly in agreement with it and I hope that the property owners that are involved and that have to pay these taxes are fully informed as to exactly what it is going to cost them and that they have the opportunity in a democratic manner (inaudible) that they wish to proceed with this and accept their responsibilities.

Mr. Boyd: Does Mr. Baker feel that the figure here will do the job or are we faced with a 20% figure over and above this amount by the time the tenders are called, or more.

Mr. Baker: We took an Associated Engineering Services figure that was current at the time the report was submitted to us and we have increased these figures by 5% per year to bring

them up to 1967 costs and we feel that the figures shown are quite reasonable. We have no idea of course what the contractors will bid but we feel this is a reasonable cost. BUDGET: VOTE #20

Mr. Chairman: What is your amortization period?

Mr. Baker: I cou ldn't say off hand Mr. Chairman.

Mr. Boyd: Mr. Chairman, I want to see them get their water but I don't want to see them hooked with a white elephant they can't pay for and answer me this: I see a figure here of $362,000.00. Now if that bid was to come in over a half a million dollars you would have to slow down and go to the people again and find out if they can pay for this or not, or something of this nature would have to happen, would it not? Because if we're going to put this to the public and then find it's out by $200,000.00 , which has happened in other contracts...

Mr. Baker: Yes, this is true Mr. Chairman to be fair to the people we would have to inform them of any increase and we would have to get their authority to install the system or forget about it.

Mr. Boyd: Well that's the way I want it handled.

Mr. Chairman: Are we clear gentlemen?

Committee: Clear.

Mr. Chairman: The next item is the Watson Lake Sewer Extension Pipe: $111,942.00.

Committee: Clear.

Mr. Chairman,; Next is Carmacks Truck Water Supply: $23,000.00.

Mr. Boyd: How much of these $23,000.00 is recoverable, can anybody tell me that?

Mr. Commissioner: This is a capital outlay Mr. Chairman. Could Mr. Baker assist the Councillor with that?

Mr. Baker: Well I can say this Mr. Chairman, the cost of the operation will be recovered through the imposition of charges for water by the gallon. We hope by doing this of course to break even. So the cost of amortization of the truck and any other capital item will be used to compute a gallonage rate.

Mr. Commissioner: In other words it is going to be on a self-liquidating basis.

Committee: Clear.

Mr. Chairman: One question to ask before we pass from water systems: has there been any progress Mr. Commissioner in relation to the Ross River Water project?

BUDGET: VOTE #20

Mr. Commissioner: Mr. Chairman, I don't know. Mr. Baker, have you had any time to spend on this?

Mr. Baker: No I haven't Mr. Commissioner. I haven't been in touch as yet with Ross River Enterprises and they haven't been in touch with me.

Mr. Commissioner: Was it my understanding that Mr. Dunn was to lay on the liaison?

Mr. Baker: Yes.

Mr. Chairman: The next item is the Carcross fire station: $10,000.00. Why does it cost $10,000 in Carcross and only $7,500 elsewhere?

Mr. Baker: I don't know Mr. Chairman. When the estimates were reviewed in Ottawa the people in their wisdom arbitrarily cut items and left other items as they were and this is of course the figures as they were when we (inaudible).

Mr. Chairman: The next is the Keno Fire Station; the Watson Lake Fire Station.

Committee: Clear.

Mr. Chairman: Next is Moving Squatter Houses: $5,000.00. 100% recoverable.

Mr. Shaw: Mr. Chairman: For quite a number of years that's been in there for $100,000.00. Did they ever expend any money in ever moving these houses?

Mr. Commissioner: Oh yes, Mr. Chairman. I'm sure Mr. Baker could give you an approximation of how much we have used but we certainly weren't using anywhere near the amount of money that was being voted, so consequently it was cut down to something people felt would be more realistic.

Mr. Baker: Well as the Commissioner pointed out Mr. Chairman we haven't been spending anywhere near the $100,000.00 which has been allocated every year. At the most it's been ten or twelve houses in any one fiscal year and to be more realistic about it we have only included the amount of money we felt we would actually spend.

Mr. Shaw: I was just asking that question Mr. Chairman because I have seen the amount in each year but no one has ever said they have moved one house or two houses, twenty houses or in fact if they have every moved any. I just wondered if they had moved any houses - I noticed it is certainly looking a lot cleaner.

Committee: Clear.

Mr. Chairman: The next item is Insect Control: $8,000.00

Committee: Clear.

Mr. Chairman: Next item is Community Development Grant: $56,000.00.

Committee: Clear.

Mr. Chairman: Next is Whitehorse Road Construction Grant: $25,000.00. Is this in fact to be cut?

Mr. Baker: I couldn't say Mr. Chairman.

Mr. Commissioner: Mr. Chairman, what do you mean by "cut"?

Mr. Chairman: Speaking from the Chair it seems that the Federal Government have cut our roads down by at least two-thirds, so I assume this would go along the 100% recoverable?

Mr. Commissioner: No Mr. Chairman, the only road programs that the Federal Government have touched are those which are Federal projects, but they have not interfered with any Territorial and Municipal projects Mr. Chairman.

MR. SOUTHAM TAKES THE CHAIR.

Mr. Taylor: Mr. Chairman, we thrashed this out the other day and Items 3150, 51, 53 and 55 have been cut by the Federal Government. Where we have appropriated $820,000 for road construction work, instructions have been received from Ottawa reducing this expenditure to something less than $300,000.00.

Mr. Commissioner: This is quite correct Mr. Chairman. It is a cut-back but they have not interfered with Municipal roads or with complete Territorial road construction. It is items that are 100% Federal responsibility that they have interfered with Mr. Chairman.

Mr. Taylor: I notice this is 100% recoverable items under the Federal Territorial Engineering Services Agreement which says...

Mr. Commissioner: No, from that point on...

Mr. Taylor: Oh, I see, it refers to the others. I'm sorry.

Mr. Commissioner: But Mr. Chairman, something that we should mention here though: the City has to spend two dollars before they can recover one dollar from us and we can only give them up to $25,000.00 in the course of this year. In other words if the City spends $75,000.00 on their road construction program this year Mr. Chairman we can't give them $37,500.00. All we can give them is $25,000.00.

Mr. Taylor I'm clear.

Mr. Shaw: This particular 31:40, Mr. Chairman, is this this bog-hole that we are attempting to fill up before the river takes it away or something?

Mr. Baker: This could form part of the program Mr. Chairman.

Committee: Clear.

MR. TAYLOR RESUMES THE CHAIR

Mr. Chairman: Well gentlemen, you have already dealt with the Whitehorse-Keno Highway, Stewart Crossing, Dawson Road,

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Canol Road and Dempster Highway.

Mr. Shaw: Mr. Chairman, I have a question in this respect because we have knowledge now. Could the Territorial Engineer state what the amount would be on the Whitehorse-Keno Highway this year instead of $45,000.00, or will it be $45,000.00?

Mr. Baker: Mr. Chairman, no money will be spent on the Whitehorse-Keno highway this year.

Mr. Shaw: Scrapped out completely. Now Mr. Chairman, how about the Stewart Crossing - Dawson Road, is that in the same category?

Mr. Baker: No it isn't Mr. Chairman, we will be spending money on the Stewart Crossing - Dawson Road and this will amount to approximately $200,000.00.

Mr. Southam: Mr. Chairman, why is the Whitehorse-Keno Road cut out then, you're going to truck on it aren't you?

Mr. Baker: Yes we are going to truck on it Mr. Chairman but we have a number of bridges on the Stewart Crossing-Dawson Road which are in a bad state of repair and these have to be replaced this year and consequently I have allocated priority to this particular road.

Mr. Shaw: Mr. Chairman, I just wondered about the other ones. We had the Canol Road and the Dempster Highway. Are they out of the picture now?

Mr. Baker: Yes they are.

Mr. Shaw: In other words there is not much point in us approving this $850,000.00 or in fact having it in the budget?

Mr. Chairman: Well you can't do very much about it because you have already passed a bill, gentlemen, but let's whisk it away.

Mr. Boyd: Mr. Chairman, I would like to see it left in there. Somebody might find a pot of gold in Quebec somewhere and put some of it back up here for us. Leave it in there.

Mr. Chairman: As I say gentlemen, you have no other choice because you have already passed a bill and it has been assented to by the Commissioner. The next item is 3200: Miscellaneous Minor Projects in the amount of $22,000.00.

Committee: Clear.

Mr. Taylor: Gentlemen, that takes us through the Engineering and Municipal Affairs section.

Mr. Commissioner: Mr. Chairman, just before you leave that particular point we had the question here of ratepayers' approval with regard to the installation of services. Would you allow Mr. Legal Adviser a word on this?

Committee: Agreed.

Mr. Legal Adviser: I have been speaking to Mr. Spray just to clear my thinking now. He tells me that he could do a survey in two to three weeks in order to go to householders and property owners he would need a fairly solid set of figures in order to tell them what they would have to contribute. In order to do that you would have to call for bids. That is the starting point in the matter; you call for bids so that you can go to the householders and they then know what their commitment is going to be. That will vary of course according to the number of people who are in favour, or in residence, but the alternate position is that you have to go to them and ask them for a blank cheque. You have got to put some figures in front of them and the survey can be conducted either on a direct enquiry basis - this is what was done in Watson Lake and in Mayo. Now in the case of Watson Lake and Mayo there will be an amendment to the Taxation Ordinance to enable the Administration to receive payments from the householders who are on the serviced frontages so you could do it that way. Now Watson Lake of course is a local improvement district with a board of trustees and advantage can be taken of that piece of legislation for local management. In Mayo they have not yet constituted themselves into a board of trustees. Now Porter Creek of course could be a local improvement district but to establish that now would take some time and the valuable summer months might very well be lost while that machinery is being set up and as I said at the outset Mr. Spray says that he could do a survey in about two to three weeks but must have reliable figures to place before the householders. So the question of a plebiscite ordinance I feel would again lose us the summer season and we must therefore do it by direct enquiry, as was done in Watson Lake and then following the amendment to the Taxation Ordinance the machinery would be in existence to recover the costs on a local improvement basis either for Watson Lake, Mayo or Porter Creek. But that amendment is expected to be before you in a few days' time.

Mr. Boyd: Mr. Chairman, I just want to make it abundantly clear that I am not going to be happy if we are going to go to these people with something that is haphazard and not factual and I don't like to get backed into a corner and fall in, so to speak and so this is what I'm trying to avoid and so would the people appreciate it. They must know, and I am very determined on this point because somebody is going to pay for it in the long run and we'd better know when we start going off half cocked, so to speak.

Mr. Thompson: Mr. Chairman, I would say on behalf of the residents of Porter Creek that they would be more than happy to pay their share just the same as any place else in the Territory, and if you think this is peanuts I would suggest that you take another look at this Mr. Boyd. I think conceivably Engineering do have substantial figures that we could use. We have taken for a basis a report that was comprised four or five years ago but as Mr. Baker has said he has added a yearly amount which comes to about $17,000 a year if my figuring is correct so by holding off on this project this long you have just added a considerably larger

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slice not only to the individual users' portion but also to the overall capital side, but as you will remember Mr. Boyd the Commissioner told us we have nothing to worry about as far as capital is concerned. It's an outright gift from the Federal Government and they lend us the money to pay it back, so all we are concerned about is the users' portion which is $150,000 and I think there is no problem there.

Mr. Boyd: I don't agree. How do you arrive at the users' portion of it. You must have had some rate or some basis, you don't just pick a figure out of the sky and say it will be 150; it must be based on costs or expenditure. I've never been able to do business that way in my life and this is my point. I'm very concerned about what this cost is going to be and I would want to be told, I would want to know before I would ever sign my name; there's going to be all kinds of taxpayers there that probably don't want to use this water, they have their own systems and they are going to be required to pay, and their own systems will be much less, maybe. They won't like being told one thing today and then find out tomorrow it's another. How do you account for $150,000? Do you swear that this is all it's going to require and Ottawa will go for the rest regardless of what the figure is. I don't think so. It isn't a case of being unfair, it's a case of using a business principle. I am sure if I went to Mr. Thompson and asked him to do something for me the first thing he'd want to know is how much I'm prepared to pay him. He won't even start, and this is quite right.

Mr. Commissioner: Mr. Chairman, could we ask Mr. Baker to intimate the policy considerations that are involved in this to give the Councillor background on this?

Mr. Baker: Well Mr. Chairman, I'm in no position to give this background information; I would suggest you call Mr. MacKenzie. He has been dealing with this water and sewer problem in various communities and he is on top of it as far as I know.

Mr. Chairman: Possibly gentlemen you may wish to have Mr. MacKenzie this afternoon?

Mr. Shaw: Mr. Chairman: I am not too concerned about the ramifications, there is only one concern and that is that the people that are going to use this have the option of saying what they want after they have known all the details. I think that the details must be given to them and that their consent must be acquired before the Government starts imposing taxes in this particular matter. Those are the people that must have the prior consideration because they are the people that will utilize this and they are the people that will have to pay the substantial cost of it and if they are prepared to do it the whole thing has my blessing, but like Mr. Boyd I feel they should know exactly what they are going into. They should have every available piece of information and then have a choice of whether they accept this responsibility.

Mr. Chairman: Are you clear gentlemen?

Committee: Clear.

Mr. Chairman: Do you have any further need for Mr. Baker at this time?

MR. BAKER EXCUSED

Mr. Chairman: Thank you Mr. Baker. Gentlemen this afternoon we will be going on to Travel and Publicity and the balance of Vote #20. I declare Committee in recess to 2:00 pm this afternoon.

RECESS

1 May, 1967, Monday.
2:00 P.M.

Mr. Watt absent

Mr. Chairman: I will call committee back to order, and we have got to page 16, Vote 20, Travel and Publicity, Furniture and office equipment - $ 325.00 VOTE #20

Next Item is Territorial Historic Sites Development Program - $10,000.00
Beaver Creek Information Centre - $ 5,975.00
Dawson City Information Centre - $ 5,975.00

All: Clear

Mr. Chairm: Next item is Yukon Regional Library - Furniture and office equipment- $550.00

Yukon Regional Library-landscaping - $4,500.00

Branch Libraries throughout Territory - $2,000.00

Mr. MacKinnon: Mr. Chairman, landscaping, Regional Library, Whitehorse, I thought we went through that last year and I thought we had quite an amount of money for landscaping. Was that work never carried out or is this a duplicate of the monies that were allotted for this particular job?

Mr. Chairman: Correct. Are you clear?

Mr. Boyd: They didn't get around to landscaping

Mr. Chai man: Next item under Welfare - road equipment - $4,200.00
Furniture, office equipment - $1,925.00

Senior Citizens Home-Dawson - $ 700.00

Senior Citizens Home-Whitehorse - $8,668.00

St. Mary's Nursing Home, Dawson -$10,830.00

Mr. MacKinnon: Senior Citizens Home, 3503 - I am wondering what became of the greenhouse that Council approved and just where would we find it. I suppose it should be under Capital costs or have they disbanded this idea - the other Commissioner Mr. Cameron assured us it was well under way and I was wondering if these provisions still remain for the greenhouse. I remember we passed a Motion in Council for establishing of a greenhouse and Administration approved it and I understand a greenhouse doesn't exist and plans apparently were drawn-the work was supposed to go ahead. Do you recall this Mr. Boyd? SENIOR CITIZENS HOME GREEN-HOUSE

Mr. Boyd: Yes, I recall, but I wouldn't go so far as to say that Council said it shall be, I think Council probably asked that it be looked into and so on and I think there was talk whether it was to be up on the hill but I think it would be worthwhile asking Administration the question at question period time. It certainly isn't in here.

Mr. MacKinnon: Mr. Chairman, there was a Sessional Paper put out on the Senior Citizens Home at Whitehorse and a greenhouse was to be established right along side the Senior

VOTE #20 Mr. MacKinnon continues..

Citizens Home in Whitehorse here and provisions were made and I'm wondering what happened to the money? Could we have the Commissioner - call the Commissioner to answer this question and could we refer back to it? It was several sessions ago the Motion was introduced and approved by Council.

Mr. Boyd: Well there is no need to call the Commissioner. He can't answer it anyways - it was before his time and we could ask it again say tomorrow morning or later on in the day when he is here. He'll have to look it up.

Mr. MacKinnon: You are well informed, thank you Mr. Boyd.

Mr. Shaw: Mr. Chairman, could the Commissioner be here on some of these large expenditures.

Mr. Chairman: Mr. Clerk could you see if the Commissioner could be available? I will declare a short recess.

Mr. MacKinnon: Mr. Commissioner, I am wondering if the sides and bottom fell out of the greenhouse that we had considered for the Senior Citizens at Whitehorse.

Mr. Smith: Greenhouse?

Mr. MacKinnon: Yes, this was well underway with the previous commissioner and apparently it disappeared. I'm what happened to the money - did it dry up and blow away? We had a very satisfactory reply to a Motion passed through Council for the establishment of a greenhouse for the betterment of the senior citizens and the matter of a change in environment for the time of the year when the sun starts to climb - they can get out and grow a few tomatoes and things like this. The plans were well laid out and the greenhouse was supposed to be just about under construction this time last spring and now there doesn't seem to be any provision and the greenhouse has not been built so I'm wondering just what happened to that Sessional Paper?

Mr. Smith: Well, Mr. Chairman, there is no use my misleading Council - this is the first I've ever heard of it.

Mr. Shaw: Mr. Chairman, I think the idea of the Motion was that these people in the summer time could get out as Councillor MacKinnon stated and putter around the greenhouse and maybe in a garden plot if there was one there- they could not grow it on the gravel surrounding the place but you could haul a little bit of dirt - and they could grow some lettuce- in other words they could grow flowers and keep them a littl occupied; especially those with a green thumb as Councillor Southam would appreciate. It was discussed at quite some length but there has been no action that we can see.

Mr. Smith: Mr. Chairman, all I can do is find out what is going on about it but believe you me, it is the first I have ever heard about it. I can't understand how we didn't hear about this in the Financial Advisory Committee talks because believe me I never heard of it before, gentlemen. Would you attend to this Mr. Clerk and see what is going on.

Mr. Watt enters Council Chambers - 2.16 PM

VOTE #20

Mr. Chairman: May we proceed, gentlemen?

Mr. MacKinnon: Mr. Chairman, what could we do to overcome this oversight at this time? This is a necessity. There is no doubt about it and these people should have some different type of environment other than to go out and sit on the steps all day. An elderly person can be quite proud of a patch of lettuce or radish, or a cucumber or two and I believe we should try and get something in here at this time and go ahead with this original proposel that Council unanimously approved and is there anything that should do Mr. Commissioner to make funds available for this particular item?

Mr. Smith: Mr. Chairman, if you would be good enough to let me clear up the sea of ignorance that surrounds me with regard to this maybe I'll have some suggestions. But as far as the idea is concerned I think it is a very fine one. There may be a hundred reasons why it cannot be done- I'm not aware of them at the moment but if you will give me a day or two to find out what's going on here I'll do my best to get you posted and see what if anything can be done about it. As far as the basic idea is concerned I think it is a very fine idea.

Mr. Chairman: Are you agreed with the St. Mary's Nursing Home Dawson - $10,830.00?

Children's Group Home - $88,000.00

Mr. Thompson: This is taking an increase in costs too; this was about $64,000 a year or so ago. The longer we put off these capital projects the higher they are going to be. Is this the one Mr. Commissioner, you felt was of dire need?

Mr. Smith: Mr. Chairman, if we build nothing else at all in the Yukon this summer (inaudible).We need this desperately. I hope there is no holdback of any kind. We need this.

Mr. Thompson: Well, by the same token, Mr. Chairman, we desperately needed water and sewer at Porter Creek for a number of years too but it seemed to take Administration a considerable time to get off the ground so I just hope they keep this in mind.

Mr. Boyd: We seem to have great trouble in finding some way to operate one of these places. I'm thinking of one we already have somewhere where we have a government employee. The only applicant we had. Would a place like this call for some specially trained type of person to be in that home at all times - would this be for boys and girls. Do you anticipate any obstacles in management.

Mr. Smith: I anticipate that we are going to have difficulty in staff this place just the same way as I anticipate that if we go ahead with the hostel system that we are going to have difficulty in staffing. Now, when I say difficulty gentlemen I don't mean that we are not going to have anyone to run it. I don't mean this. But I say that finding a proper dedicated type of people to do this job is not necessarily the easiest thing in the world to do. However it is a dire necessity and it is up to us to do our utmost if Council will provide us with the monies to give effect to this in the best way that we know how. Now, I think that Councillor Boyd's question here also revolves around specially trained person or persons. I would suggest Mr. Chairman that we are not necessarily looking for university

VOTE #20 Mr. Smith continues

trained social workers - no - we are looking for dedicated type people who are aware of why they are being hired. In other words they are not hired simply for the pay check at the end of the month or to put in forty hours a week - they are hired for a specific purpose; to create as closely as possibly proper home-like surroundings for these boys and girls who so desperately need accommodation.

Mr. Shaw: Mr. Chairman, regarding the difficulty of getting different persons for these different jobs, I wondered does administration advertise in the Edmonton, Vancouver or Winnipeg papers to try and get these kind of people?

Mr. Smith: Mr. Chairman, there isn't much point in us trying to advertise in places away from here except in some instances because we hire people in remote areas - it is not a question of the persons qualifications. It is a matter that we don't have housing. We are, literally speaking, dependent to a very marked degree upon the availability of local housing. Now, with regard to this group home here there is going to be accommodation available in this - now this may permit us to go far afield in this particular instance but I want you to remember Mr. Chairman that in most instances where we are recruiting for the Territorial Public Service we are mainly dependent upon the local labour market where people are hired locally on the understanding that they must provide their own housing . The only housing that we have available is such housing as the Department of Public Works will allocate to us.

Mr. Shaw: Mr. Chairman, I'm referring to this particular instance - I'm referring to the dormitory which you have now- that is also (inaudible) and where accommodation is provided I think it would be a very good thing - in view of the fact that you get one applicant we'll say, for umpteen years that perhaps, and I don't think the applicants are too fussy about it at that - should go further afield in places like that where you have accommodations and you have a much larger area to pick from of people who like that particular type of vocation. Not everybody cares for something like that or has the ability to cope with it but by going further afield where you have accommodation provided such as a dormitory, it would appear to be a - you have a much better slate to pick from.

Mr. Smith: Mr. Chairman, may I say just one further thing. I would want Council to know that we are in a very much better position for recruiting staff now as we have a Personnel Department whose job it is to do this. Prior to the establishment of the Personnel Department each Department did its own recruiting and it wasn't always done under the very best organized circumstances - just like Central Purchasing. When we get that we will improve the situation tremendously just the same as we have improved the recruiting situation tremendously by having a Personnel Department. I assure you Mr. Chairman that we are going to do our utmost to staff these places with the best possible people where we can get them, no matter how far afield we have to go.

Mr. MacKinnon: Mr. Commissioner, covered pretty well just what I was going to say. That this situation was never half handled before. The administration of the Yukon made nothing but a complete mess of the handling of the hiring of local help until the past year - they could never find anybody for any jobs but now under the new system they have found enough staff in the Yukon to operate the Corrections

Mr. MacKinnon continues...

Institute and you will have no trouble to find enough staff to operate these institutes when they are given a fair show. These people are just as capable here as they are anyplace else. A lot of people brought up in the past to operate these different deals have not been one bit more qualified than the people we have locally or maybe not near so well and they were looking for a pay check and there is no reason at all - you've got no worry at all. You can get all the help you want and everybody is glad to go to work for the government under present conditions; the Income Tax Department and things like this. So I can't see where you are going to have any problem whatsoever - you will get all the help you need - just as long as you give them an opportunity to be hired. They have never had that opportunity before.

Mr. Chairman: Are you clear on the Children's Group Home? The next item is Welfare Staff Residences - $650.00

The New Senior Citizens Home (unallocated) $70,000.00

New residence-office, Watson Lake - $30,000.00

WATSON LAKE NEW RESIDENCE OFFICE SOCIAL WORKER

Mr. Southam takes the Chair.

Mr. Taylor: Mr. Chairman, in relation to this I agree we need the residence; I also agree we need the office but I don't think they should be together. I think a residence should be in a residence sub-division and an office should be somewhere else. I believe it is also in our regulations of sub-divisions that you are not allowed to run a business on a residential townsite lot, that is, in an area which is owned residential. Secondly, there is a big requirement in Watson Lake for office spaces for the Territorial Government. The existing liquor store is pretty well a wreck I would say. I understand that unless we get out of there or do something we will have to put in a complete new heating unit in that building. I don't know if it is worth putting in a new heating unit in.

Mr. Smith: Where is this Councillor Taylor.

Mr. Taylor: This is at the liquor store. Now it has been suggested on many occasions that possibly a Federally-Territorial shared building would be the answer down there because already we have a requirement for a Post Office which is Federal, a liquor store which is Territorial, Territorial Agents offices have to be considered there - Court Room - we desperately need a court room and that is Federal again and then no doubt Engineering and Welfare certainly need an office and the Police could use such a building. Indian Affairs most certainly, and so forth, all these Federal and Territorial government departments could share this building and we would heat only one building if we get them all under one roof. In any event I thought at this time I would raise it - I don't agree with building residences with offices beside them if we can possibly avoid it.

Mr. Smith: Mr. Chairman, could I be permitted to say a word in this connection. The point that Councillor Taylor makes in connection with residence and office situation in regard to the Social Worker. Apparently there are conditions under which this conceivably could be a very good arrangement. A Social Worker being on call many hours of the day and night, so to speak, - however on the other hand I give a lot of validity to the point that in area such as

VOTE #20 Mr. Smith continues..

Watson Lake the idea of each government department having its own little cubicle at some point in the community is also the converse - it is not sensible and I have asked Mr. Baker and he has made some preliminary suggestions regarding getting together with the Federal Government in Watson Lake to see if we could not come up with combined office accommodation.at Watson Lake. Now, as you know at the present time we do have the Resources Building in Watson Lake where the Mining Recorder and such allied functions as he carries on and I believe they are using one of the rooms for a library. This is one area where the Federal government are certainly not going to liquidate that facility and come and join us (inaudible) as this Resources Building is only a few years old. I would like Council to know that before we embark on this particular venture we are investing every possibility of putting this $30,000.00 into an effort that is going to combine and consolidate at least Territorial functions as opposed to just building isolated locales throughout that community or any other community.

Mr. Taylor resumes the chair.

Mr. MacKinnon: Mr. Chairman, I would like to go back to 3511 for a minute if you don't mind. Unlocated Senior Citizens Home - and make a suggestion on this particular item to the establishment of a senior citizens home we will say at the Experimental Farm at Haines Junction. I believe this would be an outstanding place to establish a senior citizens home seeing the place is diminishing day by day- the operations are getting smaller and smaller and undoubtedly they will cease. They tell us in the Federal department that they will not but at the same time they are closing down every day - getting smaller and smaller until there will be nothing. I believe this would be a beautiful place to establish a senior citizens home and I was down to the Senior Citizens home the other evening to visit and I found that the people staying there are very dissatisfied with the atmosphere and surroundings - to be able to go out down the street to a beer parlor - even though this is appetizing at times - it doesn't seem to be what the elderly people really want. I believe they would much rather be out where they could grow their gardens and they would be far happier if this type of environment existed and at the Experimental Farm at 1019 we have a lot of houses and small homes where possibly two could live in one home and it is all set up with sewer and water and at the present time most of this housing is abandoned and undoubtedly it will go for sale so I'm strongly recommending that Administration look into the possibilities of establishing this unlocated senior citizens home in that area - at the Experimental Farm where everything is available to work with so they can grow their own vegetables and things of this nature.

Mr. Chairman: Well, gentlemen, are we now clear on the new residence, office at Watson Lake?

All: Clear.

Mr. Chairman: Next is Public Housing Program - $30,000.00

VOTE #20

Mr. MacKinnon: Mr. Chairman, I would like to have heard the Commissioner's comments on the remarks I just made?

Mr. Smith: Mr. Chairman, I certainly see nothing the matter with the suggestion - as to whether or not it has a practical application I'm sure I can't tell you. I'm well aware of the fact that the Department of Agriculture is not doing anything to expand the activities of the Experimental Farm at Haines Junction and if in fact there is a practical application for the use of some of their buildings in connection with a senior citizens accommodation I think we could be looking into it. However, at the same time we are actively looking into the possibilities of doing something at the Experimental Farm with the Juvenile offenders and I think that we are going to have to maybe make a choice here, sir, as to which one of these things we are going to pursue. We can't pursue both. Maybe I'm wrong, maybe we should be pursuing both, I don't know. I would put it to you this way. I can see no harm in looking into the suggestion that has been made.

Mr. MacKinnon: Mr. Chairman, I might suggest we have quite a number of acres there and it is a very well-established piece of ground and there have been millions of dollars already spent. It is a beautiful location and there is plenty of room for both. I can assure you of that-there is adequate room for both these situations.

Mr. Shaw: Mr. Chairman, this juvenile detention home, I think it would be a wonderful place for that. But when it comes to old people - old people in these homes quite frequently require medical attention and need it quickly; they are getting to that age and I think that should be a very strong consideration on where the older people will be.

Mr. MacKinnon: Mr. Chairman, I would like to ask Mr. Shaw if he has visited the Senior Citizens home here in Whitehorse lately and found out just what the wishes are of the people who are staying there.

Mr. Shaw: Well Mr. Chairman, for the edification of the member from Kluane, I was the one that started the program of the Senior Citizens Home - two years ... got the first one..And I have visited the people in the Home here and they seem quite happy and I think it is a lovely home and when I retire I'd be very pleased to go to a place like that. And as far as putting it out some place where there are no medical facilities I think that that would certainly be myopic because people require medical facilities from time to time. It is very important and I can't see how it would be practical from that viewpoint.

Mr. Chairman: Well, gentlemen, are you clear. We have the Public Housing Program - $30,000.00.

Mr. Shaw: Mr. Chairman, I wonder if the Commissioner would know - is this for people who have no income, who are say indigent people that are not old.

VOTE #20 Mr. Smith: Mr. Chairman, I'm sorry- this is 3515? Well, I don't know if this would be the correct way of putting this Mr. Chairman but we have a certain amount of indigent people in various locales through the Territory. Now I make it very clear that these people are neither candidates for the old people's home or candidates for the nursing home but just by virtue of circumstances they are indigent and we are making this proposal here as you see - construction of four houses each here at a cost of $7,500.00. It is unlikely any rental income will be available (inaudible) reduce disease and welfare problems by the provision of better housing. Now, you may ask me how we are going to determine who is entitled to this and who is not and I can assure you gentlemen that the questions no doubt will exceed the answers but the need is there and if Council will see fit to give this an experimental whirl I will be very happy. However, I can assure you that no doubt it is going to raise just as many problems as it cures but there is definitely a need gentlemen for this type of thing and it is mostly not here in Whitehorse but in outlying communities where it is needed and remember that you are providing not us but through the Department of Indian Affairs minimal housing for people who come under the status of natives or Indians and many people right along side of them who by virtue of their relations with these people are virtually of native status but in the eyes of the Federal Government they are not natives but are citizens just the same as the rest of us.

Mr. MacKinnon: Mr. Chairman, I would like to ask the Commissioner if this proposed housing program would be built on Territorial grounds and remain Territorial property?

Mr. Smith: Mr. Chairman, this is the basic idea - if we were able to secure rental income from these people we would do so but we would not be giving them these houses - they would be on a tenancy basis and when their tenancy was up then by virtue of their moving away or by death, or whatever transpired, this would remain the property of the Territorial government.

Mr. Boyd: Mr. Chairman, I think the people you are talking about are probably not persons with single status - more likely they have five children, certainly three. And what you are going to build for $7,500.00 cannot be much more than a box,- how you would heat it - I think it would cost a fortune unless it is going to be built out of logs- something that will withstand the cold and to me I am wondering if $7,500.00 is not a waste of money. When I picture somebody building a house for a family to live in for $7,500.00 I think we've got nothing - I just can't visualize this in this day and age.

Mr. Smith: Well, Mr. Chairman, it depends what you are comparing this to. If you are comparing what we are suggesting building for $7,500.00 compared to what these people are possibly living in now I think you would be quite happy and satisfied to spend that money. Also I say this to you that if we are going to get very elaborate on things of this nature - as I said, the program no doubt is going to create problems and we are just going to compound the problems if we start going to the elaborate type housing. This is minimal housing, Mr. Chairman, and this is just the word about as close as I can possibly describe it.

Mr. Chairman: All clear? VOTE #20

Mr. Thompson: Mr. Chairman, you say there isn't much hope for any income from this. I think this would be a fallacy in itself. I think there should be a basic requirement of these people to contribute something in the way of rental. This is asking for an establishment of a new policy and if we don't set something down pretty firm we will run into more troubles than can be solved and so I think that something along these lines should be considered and that is a mimimal rental of some description. It doesn't have to be very much but at least it will give a person satisfaction of knowing he is contributing a little to the welfare of the Territory.

Mr. Watt: Mr. Chairman, I understand any building in the Yukon Territory right now has to meet certain minimum specifications laid down by the National Housing Act and as we have seen the home cost construction as far as the Government is concerned, it is difficult to meet anything less than roughly $25.00 a square foot so this would leave a building 15 by 15 or 10 by 30 roughly 300 square feet which is a pretty minimal building - if you are going to comply with any National Housing code at all, I don't know - one thing that does concern me is if you put up four each year and if you put them up in one location what you would be doing is setting up something like the reservation. I don't know whether this is planned on the reservation or the area that is designed as we normally call the reservation around here but I think if we are going to do this we'll expect a family with several children to move in there I think we should be considering at least $10-12,000.00 as the very minimum house. I don't know what can be built for $7,500.00. It certainly would not be something that would be passed by the National Housing Act and their specifications are far less than CMHC. I'd like to hear the Commissioner's comments first of all as to the location of these buildings. I'd not like to see them altogether- I'd like to see them spaced in different locations so that you don't have a ghetto growing up-in the first year of this program - four homes this year, another four next year and another four next year and pretty soon you have another situation as we had down in the flats - at the price quoted I don't see but we are going to build anything but shacks. I agree that there is a program needed particularly where there are widows and she could properly look after the children except for the money in the housing and if she did not have some kind of a home she would have to turn all these children over to the welfare and it would cost us more in the long run - if we could provide a situation where she could look after her children and a fairly satisfactory environment it would be good for both her and the children and the taxpayers. I'd like to hear the Commissioner's comments on both the cost of these buildings and the location of them.

Mr. Smith: Mr. Chairman I would answer the second question first and that is I will get from Mr. Murphy the suggested locations of these four that he is projecting here, and the first part of it concerning the cost structure. I think that when we are talking about this type of housing, gentlemen, you are talking, as I intimated a minute ago, about minimum housing. You are not talking about cement basements and things of this nature and I will also get tabled for Council along with Mr. Murphy's suggested location exactly what he is suggesting in the way of this minimal housing.

VOTE #20

Mr. MacKinnon: I believe that $7,500.00 is plenty to set up a very very nice little house of minimum standards. You could go three or more bedrooms if you like- just because you get these fancy ideas around Whitehorse it does not mean you can't build a house without getting into the $20,000.00 bracket with all the frills but the Indian Department has built a lot of very nice little homes the last couple of years and they are far from costing $7,500.00- much below that they are about half that and these houses are running anywhere from 20 by 20 to somewhere in that nature. Well you can go half as much again and have a pretty nice home. As the Commissioner has pointed out, without a basement and the likes of that - you get away from a lot of costs and I would like at this time to suggest that if any type of housing program is considered by administration, an advisory board be set up and advise the welfare department as to whether these houses should or should not be built. I don't believe in a civil servant making a definite plan on his own - I believe there should be a board of taxpayers and they should recommend the housing before it is carried out. This is my suggestion.

Mr. Chairman: Gentlemen, are you clear on the Public Housing Program?

Mr. Shaw: This $7,500.00. They are building houses now in Porter Creek - darn nice little houses - 24 x 30 and under contract, tile on floor, cupboards in kitchen, furnace cement basement - not cement but footing foundation all around and they are contracting those for less than $13.00 a foot; in other words for $9,000.00 so I would imagine for $7,500.00 you could build a house that is adequate for the job.

Mr. Chairman: Gentlemen, are we clear and can we proceed from the Public Housing Program at this time?

The next item is the Juvenile Detention Home - $120,000.00

May I direct a question to Mr. Commissioner, is this not a properly 100% recoverable item in view of the fact it forms a corrections program?

Mr. Smith: Everyone of these Capital items - you are given the money for that purpose.

Mr. Chairman: The next item is Public Administrator-$850.00

The next under Correction is Road Equipment - $4200.00

Furniture & office equipment - $8,315.00

Total of -$12,515.00

Liquor Control - $2,620.00

Debt Redemption Loans & Investments -$395,466.00

Mr. Chairman: Gentlemen, this concludes your first review of the Budget. I believe we still have Health to do. There have been some questions raised, gentlemen, throughout the Budget. Is there anything else you want to go back to at this particular time?

VOTE #20

Mr. Watt: Mr. Chairman, I'd like to ask the Commissioner regarding Establishment 3900 (inaudible).. Loans on second mortgages CMHC $40,000.00. I would assume that you are expecting no more than twenty applications to this loan this year.

LOANS
CMHC

Mr. Smith: Well at the time this budget was made up and in the light of past experience this looked to be a pretty fair appraisal Mr. Chairman and if these applications are going to exceed this we will have to see about getting further funds made available through the Federal government and we will have to come to Council with supplementary estimate for authority to use this money.

Mr. Watt: Another supplementary question - if you receive more applications than there is money for will you be able to go ahead and loan this money without - before putting it in Supplements.

Mr. Smith: I've always enjoyed the prospect of being able to spend money we didn't have and up until now the Territorial Treasurer doesn't permit us but I can tell you this at the moment that we are in contact with Ottawa in connection with the provision of further money for both the first and second mortgage requirements because we are momentarily, as I explained to Council the other day, we are momentarily at the maximum point of our funds. Now, some of the funds haven't been allocated yet- I shouldn't say they haven't been allocated, they have not been made available to the applicants yet but the applications in effect have been approved so that we are theoretically at the end of the available monies at the present time. We were in contact with Ottawa one day last week to see what we have to do to secure further funds under these three systems here for making more monies available for individuals.

Mr. Watt: Mr. Chairman, I would like to ask the Commissioner if it is true with respect to 3900 and particularly to 3902? Are you requesting another $100,000.00?

Mr. Smith: Up until now we have accepted applications which if Council permits us to use this $100,000.00 we'll use up this money.

Mr. Watt: Well, supplementary question - Now the reason I'm pursuing this a little bit further, I don't think this $100.000 is going to be enough - that represents about twelve homes.

Mr. Smith: It is all committed right now Mr. Chairman, provided Council vote this money and allow us to use it- it is all committed.

Mr. Watt: Well, what about those that want to put in applications under this...

Mr. Smith: This is exactly what I've just finished telling you, sir - we have to secure more funds from Ottawa. We have posed the question to them and we are hopeful the answer will be in the affirmative...

VOTE #20 ,

Mr. Watt: So when they give us the approval this figure of $100,000.00 may be changed to $200,000.00?

Mr. Smith: No, we will have a Supplementary Estimates in order to take care of that.

Mr. Watt: This won't delay any home building because of lack of Council approval, will it?

Mr. Smith: No, no, but it may well be ...unable to secure money from Federal funds but I am very hopeful that they will see their way clear to giving this.

Mr. Watt: I think we should leave this under consideration so that if Ottawa is a little reluctant to provide funds we will have to divert them from something else to provide them. This program is really working well and is needed and I think there are 12 or 13 applications already in this year.

Mr. Smith: You are quite accurate.

Mr. Watt: I think we should be looking at $200,000.00 or in that neighborhood.

Mr. Chairman: Gentlemen, are you clear on this?

Mr. Boyd: I wonder if Mr. Commissioner would care to say if he expects to have an answer before Council prorogues. I know this is asking quite a bit but I can't help but think back - we were in Ottawa two or three months ago and a man was going to be here to deal with the Central Mortgage and Housing Loans. I thought from the way they talked that almost before we got back from Ottawa he had already his suite case packed -the remarks of one man down there and according to the paper he is going to be here on June 1st. Now as Mr. Watt or Mr. Smith points out, we have used all the money that is available now and we are at a standstill. And if we are going to take as long and dilly dally as it took to get a CMHC man here we have had it for this year. And I would like to hope that Mr. Smith could maybe get an answer so that we could try to get something else before we leave this table.

Mr. Smith: Mr. Chairman, I think housing and provision of funds to make houses possible is the most urgent need in the Territory and no one is more anxious than I am to be able to give an answer before Council session is over as to just what we have been able to do or not to do, one of the two. Because this program that you have in front of you here just now - you had a progress report on the table here and a Sessional Paper and as you can see there have been times (inaudible) not been too effective (inaudible) but now people are seeing the value of it and its good points are working to our advantage in getting housing available and I certainly think that we should make every effort that we can to continue to have funds available under this program for qualified applicants.

Mr. Watt: A supplementary question - I'd like to ask the Commissioner to comment on this suggestion. Wouldn't it be possible to deputize Mr. Spray or Mr. Posh or someone like that to receive applications for Central Mortgage and Housing homes to process them until this bird gets here? It seems to be going further and further back all the time and if we have someone here to receive the applications here - it is a pretty straight forward thing - the classification of a home and the security of a lot accepted, particularly where the

Mr. Watt continues...

property has already been purchased from the government- one way or another you... Lot 19 or Riverdale or someplace else then this should be straight forward. It is pretty simple, it is just the assessed value of the house - the security is guaranteed and we have lots of very very capable men in administration who could easily handle this. I'd like to hear Mr. Commissioner's comments on this.

Mr. Smith: Central Mortgage and Housing Corporation, gentlemen, are not about to deputize anyone from what I can see and the fact that we have even got them to appoint a resident man here was only due to the efforts of Council and administration being able to exert with Mr. Linklater who in turn was able to convince Mr. Hignett - while it was economically unfeasible it was a very practical thing to do and I would hold out no hope for the Councillor's suggestion that we would be able to get any deputization with regard to these things. However, I say this - we found out here a few days ago when we had a paper tabled in connection with the legal fees etc, I would feel that the people who are representing the CMHC in the legal field should for the kind of money that is being offered or being made avilable to them should certainly be able to assist any bona fide person to get his papers made up. If Mr. Posh is deputized to take care of inspections for progress papers so possibly between the two we should be able to struggle - to survive for the next weeks before the gentleman arrives here and also remember I told Council I was hopeful he would be here the first of (inaudible).

Mr. Boyd: Could I ask the Commissioner a question? We have $100,000.00 allocated - $8,000.00 for twenty homes or whatever the figure was - that is all gone so unless you know that you are going to have more money to loan - this Mortgage man better not come here.

Mr. Smith: Oh, these are two different sets of funds Mr. Chairman. The funds which we were talking about here are those funds which are are made available under the Territorial Ordinance. The funds that CMHC write their cheques on are funds made available to the Corporation through the Canadian Parliament.

Mr. Boyd: Then there is lots of money available for the purpose that this man is coming here to negotiate.

Mr. Smith: He will have nothing to do with the administration of our Territorial funds.

Mr. Watt: I would like to compliment CMHC and administration here in the success we have already had in getting Mr. Posh deputized to make the few basic inspections and if this gentleman isn't here by the 1st of June or hasn't indicated by the middle of May that he is coming then I think we should proceed further to see if we can get somebody deputized or set up a Territorial Central Mortgage and Housing Department- along that line. It takes away the effect of CMHC efficiency by not having them here. I know several people here now that are waiting to build homes and by the time you correspond back and forth between here and Prince George

VOTE #20

Mr. Watt continues:

and by the time you write the first letter it is a week before you get your answer back and then you have to clear up your specific ations and write back and forth about six weeks have gone before you finally get approval and have the banker agree and if everybody got together the same thing could be done in three days here - two days if this man happened to be in town and it won't be long before the snow is coming again and I think if we are going to provide housing at all, and we certainly need it - I think we had better concentrate on this on getting this fellow up here.

Mr. Chairman: Gentlemen, are you clear on this item?

All: Clear.

Mr. Chairman: At this time I will declare committee in short recess.

Mr. Chairman: Well, gentlemen, I will call Committee back to order at this time and we have several sessional papers to come up with. The first is Sessional Paper #102. (Reads Sessional Paper #102 re Alaska Highway). SESSIONAL PAPER 102

All: Clear

Mr. Chairman: Next is Sessional Paper 103. (Reads Sessional Paper #103 re Paving of Alaska Highway). SESSIONAL PAPER 103

All: Clear

Mr. Chairman: Sessional Paper #104. (Reads Sessional Paper #104 re Motion for the Production of Papers No. 3). SESSIONAL PAPER 104

All: Clear

Mr. Chairman: Next is Sessional Paper is 105. (Reads Sessional Paper #105 re letter drop boxes). SESSIONAL PAPER 105

All: Clear

Mr. Chairman: Next is Sessional Paper #106. (Reads Sessional Paper #106 re Wood Contracts). SESSIONAL PAPER 106

Mr. MacKinnon: Mr. Chairman, yes, I am not very pleased with this reply and the question is not exactly answered here. I would like to point out to the Commissioner that although they state that notices were posted...four week period to closing date, I note that Teslin was posted on March 13 and the closing date was March 17. So it would be three days instead of three weeks. I would also like to mention to the Commissioner that on these postings there was no date, and you could go in and look at the posting on the last day it was up and you wouldn't know whether it was there for a week or it had been put up that morning. Because there was no dates put on those postings that were nailed to the wall. I am speaking now of the Haines Junction area and I have had various complaints on this from the area and I think it is a very, very poor policy and it has caused an awful lot of dissention in the areas and the people that are interested in getting this work. I don't know how things stand at the present time, but I do know that the camp grounds are going to need wood shortly. And, I believe that this type of contracting deserves a very serious look by Administration as to how it has been handled to give everybody a fair show at this. And I can't see any reason why it should not be advertised in the papers because most all people are watching the papers to see if these contracts are coming out. And the first thing they find out, well it has been posted up in the liquor store, a lot of these people never go to the liquor store and a lot of these people never go to the post office and had it been in their daily or weekly newspaper, they would have known this contract was out. But as it stands they don't have a clue until they hear somebody has got the contract. And I also believe where postings are up up the dates should be put on those posters as to the day that they were put up. Because there is a dispute at the present time as to whether these postings were up or they weren't up. And I don't know how you get around this end of it. I would like to hear what the Commissioner has to say about this.

SESSIONAL PAPER #106

Mr. Commissioner: Well quite frankly Mr. Chairman, I agree with everything the Councillor has said. One thing I would bring to your attention, gentlemen, the answer that is shown here refers to the answer to the situation on the bottom of the page here where it says notices posted up three to four weeks prior to the closing date. It isn't a ditto mark concerning the line above. However, I say this Mr. Chairman, that is that any expenditure of public funds should be done in a manner that is absolutely beyond any possibllity of criticism and I would certainly like to give council my assurances that I will be taking this matter up with the officials in forestry and certainly are not going to leave ourselves open to criticism in the future of this method of posting or calling for contracts of this nature.

Mr. Southam: Mr. Chairman, I notice here at the bottom of the page with the exception of the Whitehorse area which is advertised through the paper. Now I take the Star and I also take the Yukon News. And when I was at home I saw these wood contracts advertised. Go back through the papers go down and get some old papers and ask them. It was in there because I saw it. It said so. It don't sound right to me.

Mr. MacKinnon: Mr. Chairman, I believe the paper plainly states that the Whitehorse area, the wood for the Whitehorse area was posted in the papers only. The other areas were posted in various localities such as liquor stores, motels, service stations and so forth and the point in that these postings that were put up were not dated. They were just a piece of paper put on the wall with no dates, and no there is question as to whether those papers were posted in time or not. Thus is the exact point.

Mr. Shaw: Mr. Chairman, on a matter like this I don't understand the inefficiency of advertising. They have got the thing scattered all over the country. It seems to me all they need to do is take all these different outfits here and put them all on one advertisement. Put them in the newspaper and at the same time in all these outlying areas, Mr. Chairman, there are a lot of people that do not get what you call the local Whitehorse newspaper. There is a few that get it, but certainly not most of the people. They don't see the paper, so that if these handbills were distributed in the outlying areas at the same time that the ad was put in the paper and it was all on one advertisement then everybody is going to know where they are situated instead of all these various and somebody did it. It must cost three or four times as much to serve the same purpose exactly.

Mr. Southam: Are you suggesting then, Mr. Shaw, that you send out a flier to everybody. Is this what you are suggesting?

Mr. Shaw: I am suggesting Mr. Chairman, that this be put in the paper and that if you call them fliers that you sent out to all the liquor stores and all these places where they usually post them in the different areas I cannot--I don't know where you will put them in Elsa, but I see you have got a bulletin board there. You have a post office in Mayo. You put one there. If you have got one up at Keno, you put one there and I could go on and on. ...it's not fliers no. It's concurrent with this act.

Mr. Boyd: Out of curiosity, would these notices be prepared by this Administration or is it strictly forestry that is handling this? SESSIONAL PAPER #106

Mr. Commissioner: Well, they are handled in the forestry office Mr. Chairman. But they come under my jurisdiction and certainly I don't feel that there should be any downing points given for this particular situation here.

Mr. Watt: Mr. Chairman, I think that Mr. MacKinnon raised a point and apparently there is a situation that isn't too satisfactory at the moment. And we seem to have an awful lot of trouble with contracts, ... and I would like to have the assurances of the Commissioner that he is going to watch the situation closely to get away from this type of thing about contracts.

Mr. Commissioner: Well, I can assure you Mr. Chairman I am no more interested in having difficulty with these contracts than what Council is. Because it certainly reflects on my Administration very badly when these questions keep coming up and quite frankly I think the questions raised in connection with this are very valid questions and I support Council's attitude fully with regard to that.

Mr. Chairman: Are you clear, gentlemen? Next is Sessional Paper #107. (Reads Sessional Paper #107 re Liquor Price Increase - Dawson City Liquor Store). SESSIONAL PAPER #107

Mr. MacKinnon: Well, Mr. Chairman, I would like to thank the Commissioner for discontinuing the overcharge at Dawson City and for his thorough investigation of the matter and I see he has various recommendations here to reimburse the general public and I would be willing to leave this within the hands of the administration for them to do as they see best.

COUNCILLOR SOUTHAM TAKES THE CHAIR.

Mr. Taylor: My only comment on this is that I think it was a little presumptuous of Treasury who I think run this show to compute and to preguess what Council was going to do with increasing liquor prices. This was based on the idea of whether Council liked it or not they were going to go through with an increase in liquor prices. And this of course has not been considered, and will not normally be considered until such a time as we get that agreement. And it seems to me the proper thing--we have had problems with price increases before. And the proper thing to have done was to first come to Council and say we are proposing to you that we increase our liquor prices and have it discussed here and debated here and have it decided here rather than sending out these tentative directives to liquor stores to increase the prices. It is just saying, well, virtually this is what we are going to do. We are just going to talk Council into it and that is the end of it. Its--as I say it's that approach that I don't like. I think in the first instance that Council should be consulted because it may be that Council do not wish to increase the price of liquor and consequently this is an absolute waste of taxpayers money in producing all these advertisements and sending them out. That is where I find fault with it.

Mr. Thompson: Mr. Chairman, didn't we come to the momentous

Mr. Thompson continues...

decision or understanding it doesn't matter what we do, the administration have the right to raise the liquor prices if they so desire. Am I right in this? I think Mr. Chairman, this was the gist of the conversation or the remarks made by the Legal Advisor the other day.

Mr. Taylor: I believe this was the case Mr. Chairman. But I think that the administration would be very unwise to increase those prices without having first consulted Council.

Mr. Commissioner: Well, Mr. Chairman, I want to make something very clear to you right now. The Administration has no intention of using their authority that they have in the Liquor Ordinance in changing prices without consulting Council. And I make this very, very plain to you and in sofar as what has transpired in this particular situation here it is a very regrettable situation and I am very sorry for the inference that Council feels this is some kind of a inferential suggestion from administration that we were handing out these lists...Council's wishes. I am sorry gentlemen, this is an entirely erroneous assumption...no intentions of doing any such thing. I don't think we could have been clearer in the instructions given as enumerated here. This here is a situation where the vendor in Dawson claims he didn't receive this and we can neither as indicated in Item 7 we cannot prove nor disprove this particular thing. I don't know how many liquor stores we have in the Territory, how many are there Mr. Legal Advisor--five--four--certainly there was no trouble with the other vending establishments. They all received the same letters, but generally speaking it is a most regrettable situation and nobody regrets it any more than what I do. And particularly if I had found out about it through my own administrative channels, ... but to find out through the Council adds a little more insult to the injury, and, you gentlemen, if you think that I am very happy about it...(inaudible).

Mr. Shaw: Well, Mr. Chairman, what is done is done. There is a matter of restitution I think is a very fair way of going about it. I would have a suggestion to make in this effect. For the past number of years, a large number of years in fact, there has been a policy of receiving by donations from the citizens in creating what they call a "Milk Fund". At one time, ... it was a fund whereby they supplied milk and vitamin pills to children. There's a lot of these children, particularly semi-natives and natives parents that do not get the right amount of vitamins they require. And when the first City Council of Dawson City--when they first had a Council they donated a first year indemnity towards this fund. And, that has been going on for quite a number of years. And, this five hundred dollars I think if this is still in effect, it was in effect a couple of years ago, that that $500.00 could be well used from one liquid refreshment to another liquid refreshment with far more beneficial results to the results to the embarkers.

Mr. Commissioner: Well, I have asked for Council's guidance to this matter gentlemen, and I would appreciate it very much if you would give me what you feel would be the proper thing to do.

Mr. Taylor: Well, Mr. Chairman, in this regard the only thing that Council could do is to no doubt concur with any arrangements that Territorial Administration feel is worth while in restitution. If the City of Dawson and the Territorial Administration can get together in company with the Council and come up with something that would be ideal rather than trying to...I would think. SESSIONAL PAPER #107

Mr. Commissioner: Could I state the administration's preference in this matter without secluding further conversations on this. From our part we would very much like to give the $500.00 to a suitable agency in the Dawson area for the general welfare of the community. This is what we would prefer to do because at that point would be feel that what we have done would be beyond reproach. In other words we at that point could not be accused of mis- you know misrefunding any monies.

COUNCILLOR TAYLOR RESUMES THE CHAIR

Mr. Chairman: Does Committee agree?

Mr. Commissioner: We will put this in the form of a supplementary estimate, gentlemen. It will have to be voted by Council.

Mr. Watt: I would just like to suggest that we could give the Commissioner approval in principal to have a return to the Dawson area to a suitable fund. ...

Mr. Commissioner: No, no, I have to have it voted. Find out what Council wants on this...important thing here...

Mr. Chairman: Next Sessional Paper is 108. (Reads Sessional Paper #108 re Production of Papers No. 2 - Liquor Prices.) SESSIONAL PAPER #108

Mr. Commissioner: Mr. Chairman, there is only one thing the matter with this paper and I find that we are not able to identify taxes on this liquor from these other provinces except where they add the sales tax to the resale selling price. In other words, the point I am getting at is this Mr. Chairman is that the difference between what the province pays for the liquor and what they sell it for in the provinces is simply looked upon as mark-up. It is not looked upon as liquor tax. And, the only tax that we can identify is where there is a sales tax. Now since this was made up we have since been advised that there is a sales tax in Quebec, I believe of 6 per cent which can be put in here....8 per cent? Well which--well there was one that was advised to me Mr. Legal Advisor. Was it Manitoba with 6 per cent?

Mr. Legal Advisor: I don't know, but Quebec moved it's sales tax about a month ago up to 8%.

Mr. Commissioner: It's 8 per cent then. And the Manitoba one then I am sorry I don't have that. But there is a sales tax in Manitoba. The only province in Canada now that does not levy a sales tax on the resale selling price of liquor is the province of Alberta. There is no sales tax in the Northwest Territories. I think I would be fair in saying that the Manitoba sales tax is either 5 or 6%.

Mr. Shaw: Well, Mr. Chairman, it almost appears that Quebec

Mr. Shaw continues...

sales tax is about the highest, one of the highest.

Mr. Commissioner: Well, Mr. Chairman I may tell you something else that I have found in investigating these liquor prices. That most provinces have a surcharge on top of these prices to liquor that is supplied to a licenced outlet. Now I thought it would be a discount that they would give, but they have a surcharge on top of this that raises it from anyway to 2 to 10% on liquor that is supplied to licenced outlets.

Mr. MacKinnon: Well, Mr. Chairman, I can quite see the meaning of the paper and I do not see anything concerning beer or ale which favour the provinces very much so and I understand the Northwest Territories. Now beer here is just about double to what it is in Alberta and British Columbia and so I think that even though we are levying in price on most items here that we should take into consideration that our beer is much higher than it is anywhere else and for that one particular reason I believe that we should not be taking an increase into consideration for liquor without a decrease in beer to bring it in line with the provinces.

Mr. Commissioner: Mr. Chairman, I made no effort to include beer prices because I thought it was liquor prices that Council was asking for. So it wasn't intentionally left out. Oh, excuse me, here it is right on the bottom.

Mr. Boyd: Mr. Chairman, Mr. Smith mentioned a surcharge in Quebec or I presume it doesn't matter where it was, but say there is a surcharge to the outlet, would that be included in the price here?

Mr. Commissioner: No, that is added.

Mr. Boyd: Then it is the Quebec government that adds the surcharge and gets the surcharge over and above the price of liquor.

Mr. Commissioner: I was very surprised at this Mr. Chairman, but when Mr. Vars brought this information over to me he had the listing of surcharges because I thought there would be a discount that would be given to licenced premises but this is not the case. And also I may say that most of the provinces have two prices on beer. A southern price and a northern price. In other words they all seem to divide the provinces at a certain transportation point and the price of beer beyond the northern part is higher than what it is in the southern part of the province.

Mr. Boyd: Mr. Chairman, could the Commissioner indicate, the surcharge would it be for delivering the commodity to the outlet by any chance.

Mr. Commissioner: It didn't appear to be, but I could enquire further along those lines, Mr. Chairman because I would be happy to enquire further to see if this has anything at all to do with this.

Mr. Chairman: I would draw your attention of course to the remarks that have been displayed in the paper...

Mr. Commissioner: ...then on Monday and they could be here on Monday.

Mr. Chairman: I will just declare a short recess, gentlemen and we will have a look at the flags that have been hung up at the back. SESSIONAL PAPER #108

RECESS

RECESS

Mr. Chairman: I think at this time we will call committee back to order and during recess gentlemen we have been looking at various flag designs and Mr. Clerk I wonder if you could inform Council of the winning design? FLAG DESIGN

Mr. Clerk: Yes, Mr. Chairman, design number one has received the mojority vote.

Mr. Chairman: Well, gentlemen we have selected a flag. I wonder if I could ask the Commissioner from the Chair the necessary legal papers to be drawn up by Mr. Legal Advisor for presentation to Council in order to...

Mr. Commissioner: I am sure that they can Mr. Chairman. Mr. Legal Advisor, the Council have made their choice of flag to be designated as the official flag of the Territory and it is Design #1 and Council are asking if it would be possible for you to give effect to the necessary Ordinance to make their wishes official in this matter?

Mr. Legal Advisor: yes, may I ask a question about the flag design. Rising out of the discussion and expression of views of Council regarding the tartan. Who will control the copyright of this design? Because made the point that it wanted to have control of the copyright of the tartan and have both hands on the reins. Now, I have ready a flag ordinance in draft form, but before you proceed to that actual position you may wish to hew out a few consistent set of views applicable to both situations.

Mr. Chairman: Well, I would think that it was the wish of Committee be the property withheld by the Government of the Yukon Territory on behalf of the people of the Territory. Should it not be so?

Mr. Shaw: Mr. Chairman, I believe that with the winning design of the flag contest it was part of the conditions that it become the property of the Territorial Government unless I read the advertisement wrong, the advertisement to the competition--could the Legal Advisor advise me if this would also go on this particular matter.

Mr. Legal Advisor: I never saw the entry form for the particular competition and so I would have to study the actual documents of the entry forms that were signed. It may be the answer to the point that I have just raised. I would require some time to study the description and possibly the artist who produced the design would give me a written description of his design, specifying the colour shades and other details so that there could be a written description which positively identifies this flag.

Mr. Shaw: Mr. Chairman, could the Legal Advisor take this in hand and contact the person responsible and advise accordingly to Council. We have to find out whether this can belong to the Territorial Government or not.

Mr. Chairman: Well, Mr. Legal Advisor, can you take this matter under advisement and see what can be done in relation

FLAG DESIGN

Mr. Chairman continues....

to the legalizing of this to the name of the people of the Territory or the revenues on sale.

Mr. Legal Advisor: Well, yes but there is an limit to what I can accomplish. I am one person, I am short handed and I can't undertake to locate the person who designed this and that aspect must be done by somebody else. With regard to the preparation of the ordinance, yes, that is a legal function which I will be very happy to undertake. What I want is a written description of that, and I am ready to go on it then.

Mr. Commissioner: Well, Mr. Chairman, true...part time chore...legal advisor in this matter.

Mr. Chairman: Does Committee agree to this course of action?

All: Agreed

SESSIONAL PAPER #109

Mr. Chairman: Well, gentlemen, we have the next Sessional Paper #109, a rather lengthy paper.

FLAG DESIGN

Mr. Boyd: Excuse me for being so slow, but I wonder since the Legal Advisor was not here while we were pinwagging and it seems to me Councillors did have a thought that possibly the Fireweed might be shall we say redrawn more in comparison with--well it seems to be out of proportion. And before the Legal Advisor would go and have the details were we not going to give that--maybe another drawing or something of this nature before we put it down as the actual factual and definite or am I wrong.

Mr. Shaw: Mr. Chairman, I have the copy of the Act that went out for the flag and it states at the bottom--Copyright for any design chosen will be held by the Yukon Territorial Government. And that is the flag that was chosen.

Mr. Commissioner: Perhaps, Mr. Chairman, Councillor Shaw goes along with what the legal advisor was talking about.

Mr. Legal Advisor: Well, I can say that being so then that appears to solve....difficulties suggested.

Mr. Watt: ..that the administration to Council give the person who designed this should get a little bit of an additional reward of some kind. I think that he not only won the flag contest but he also designed the flag and the same thing cost the Federal Government approximately one million dollars. So, I think that some additional consideration should be thought up to give this person whoever it is that designed it.

Mr. Legal Advisor: Could I suggest that we will take a formal requirement of copyright from the person who drew that and if he wants at that time to recommend some funds then that would be the consideration for taking the copyright, although he had in fact apparently waived his right to the copyright in favour of the Territorial Government.

Mr. Watt: I would like to suggest that we give him a trip to Expo or something along that line.

Mr. Chairman: Well gentlemen, are we clear on this item for the moment on the flag. FLAG DESIGN

Mr. Shaw: I am just wondering what the fella got that designed the Canadian flag.

Mr.. Watt: Jail...30 years.

Mr. Shaw: Mr. Chairman, I didn't say what should he have gotten, what did he get.

Mr. Chairman: Alright gentlemen, we will proceed with Sessional Paper 109. (Reads Sessional Paper #109 re Amendments to Liquor Ordinances). Well, gentlemen, I am wondering if we can deal with this in three phazes. One, is the matter of the Liquor Commission possibly first. Two, is the item involving the two appendages we have to this or the two sections of the B.C. Act as number two item. And number three item possibly you go into the matter of selling liquor in dining rooms. Would this be agreeable to Committee as an approach to this paper? SESSIONAL PAPER #109

All: Agreed

Mr. Chairman: Your number one consideration gentlemen, would then be the liquor commission. What are your thoughts in respect to this.

Mr. Boyd: Well, Mr. Chairman, we have a lot of talk coming up. It is twenty minutes to five, I would move that the Speaker resume the Chair and hear the Report of Committee. MOTION RE SPEAKER RESUME CHAIR AND HEAR REPORT OF THE CHAIRMAN OF COMMITTEE

Mr. MacKinnon: I'll second that Motion, Mr. Boyd:

Mr. Chairman: Could the Commissioner be excused at this particular time? Gentlemen, is it your wish to discuss this thing tomorrow morning? Is it your wish that we discuss this thing at about 10:30 tomorrow morning?

Mr. Shaw: Mr. Chairman, I was just wondering did we not arrange to have Doctor Springer or am I just imagining this.

Mr. Chairman: No, not to my knowledge. Clerk, do you know anything of this?

Mr. Clerk: No, I have not been requested by Council to contact Doctor Springer yet, Mr. Chairman.

Mr. Shaw: In this case I am agreeable Mr. Chairman. The sooner we get it disposed of we can go to something else.

Mr. Chairman: Would you wish anyone else here from the Liquor Department? Then, I believe Mr. Commissioner may be excused at this time.

Mr. Commissioner: Thank you gentlemen. See you in the morning.

Mr. Chairman: It has been moved by Councillor Boyd and seconded by Councillor MacKinnon that Mr. Speaker do now resume the Chair and hear the Report of the Chairman of Committees. Are you ready for the question? Are you agreed? Any contrary? I will declare the Motion carried. MOTION CARRIED

MOTION CARRIED

REPORT OF CHAIRMAN OF COMMITTEES

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

Mr. Taylor: Mr. Speaker, Committee convened at 10:30 a.m. to discuss bills, memoranda, sessional papers and motions. Mr. Commissioner and Mr. Baker attended Committee to discuss Bill #9, Vote 20. Committee recessed at 12:00 noon and reconvened at 2:00 p.m.. A decision was made in Committee respecting the selection of a new Yukon flag, that design being flag design number one bearing the Fireweed floral emblem. I can report progress on Bill #9. It was moved by Councillor Boyd and seconded by Councillor MacKinnon that the Speaker do resume the Chair and hear the Report of the Chairman of Committees. This motion was carried.

ORDERS OF THE DAY

Mr. Speaker: You have heard the reading of the Report of the Chairman of Committees. Are you agreed with the report? Well, gentlemen, we have the agenda for tomorrow and I think it was decided in Committee that we will have the Sessional Papers on the Liquor Ordinances, etc. for 10:30 and then we could proceed with bills, memoranda and sessional papers for the rest of the day. Is that agreed?

Mr. Thompson: Two-thirty, Mr. Speaker, does this include discussion of my Motion number 21 in relation to this Sessional Paper ?

Mr. Tayl9r: Yes, Mr. Speaker, we have also set tomorrow as the day certain for matters related to Lynn Holdings.

Mr. Speaker: What time is the Lynn Holdings supposed to be?

Mr. Taylor: Anytime tomorrow.

Mr. Speaker: Oh, I see. What is your pleasure at this time, gentlemen?

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

Mr. Thompson: I will second the Motion, Mr. Speaker.

Mr. Speaker: It has been moved by Councillor Southam and seconded by Councillor Thompson that we call it five o'clock at this time. Are you ready for the question? Are you agreed to the Motion? Are there any contrary? The Motion is carried and the Council now stands adjourned until 10:00 o'clock tomorrow morning.

MOTION CARRIED

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

Mr. Speaker: Have we a quorum, Mr. Clerk?

Mr. Clerk: We have, Mr. Speaker.

Mr. Speaker: Have we any correspondence this morning, Mr. Clerk?

Mr. Clerk: We have Sessional Paper No. 111 re Proposed Consolidation of Classrooms in Carcross. That is all the correspondence I have this morning, Mr. Speaker. SESSIONAL PAPER #111

Mr. Speaker: Have we any further correspondence?

Mr. Taylor: Mr. Speaker, this morning I would like to table a letter addressed to Mr. Speaker and Members of Council respecting the Yukon Tartan. LETTER RE YUKON TARTAN

Mr. Speaker: Thank you, Mr. Taylor. Have we any further correspondence? Have we any Reports of Committees? Have we any Bills to introduce? Have we any Notices of Motion and Resolution?

Mr. MacKinnon: Yes, Mr. Speaker, I give Notice of Motion re Motor Vehicles Ordinance. NOTICE OF MOTION #30

Mr. Speaker: Thank you. Have we any further Notices of Motion? If not, we will proceed to Orders of the Day. Have we any Notices of Motion for the Production of Papers? If we have none, we will proceed to Motions. There is No. 29, Mr. Watt. He is not here. No. 21 is referred to Committee. Have we any questions this morning, gentlemen? If we have, I will see if the Commissioner could be made available. Would we have any questions?

Mr. Thompson: Mr. Speaker, I have a written question. I don't think it would be necessary to have the Commissioner here...a question with reference to pollution in the Yukon. "With increased mining activity in the Yukon Territory, could Administration advise if (a) the Mining Inspector has investigated the possibility of pollution in the Rivers in the proximity of mines where tailings are dumped and (b) how many of these inspections take place and (c) could Administration table the findings of these reports?" QUESTION #6

Mr. Speaker: Have we any questions this morning?

Mr. Taylor: Mr. Speaker, I wonder if Mr. Clerk would be able to find out for me when I could have the answers required for Motion for the Production of Paper No. 5 which has been on the Order Paper for some time in view of the fact that we have another Motion in Committee respecting this matter.

Mr. Clerk: Yes, Mr. Speaker. The answer in fact....the Councillors do have the Agreement between Lynn Holdings and the Yukon Territory on rental of space. This has not been tabled this morning because there is a paper coming from the Administration on this matter.

Mr. Speaker: Thank you, Mr. Clerk. Have we any further questions? If not, gentlemen, what is your pleasure at this time?

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 I believe on the Agenda is the matter of liquor...the first item.

MOTION CARRIED

MOTION CARRIED

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

Mr. Taylor: Gentlemen, we will be discussing Sessional Papers respecting Liquor Control where we left off last night. Mr. Clerk, would you see if Mr. Commissioner is available and I will declare a short recess.

SESSIONAL PAPER #109

Mr. Chairman: At this time, I will call Committee to order. We have with us Mr. Commissioner to discuss matters relating to Sessional Paper No. 109 which we have broken down into three parts. Our first discussion, gentlemen, will center around the proposal of a Liquor Commission.

Mr. Shaw: Mr. Chairman, I feel that we just have to have a Liquor Commission. Every Session of Council it seems we get pressure put on to change this or to change that and this Liquor Ordinance must be chopped up more than any Ordinance that we have. This is understandable. There is a lot of money involved in it but I feel that now has come the time that we have just got to have a Liquor Commission. We keep making changes all the time. It has got to a stage of where you don't know whether you are coming or going and unless, or until we get a Liquor Commission of some sort... I don't know how you cook one up...the Provinces seem to have those kind of things...who in turn assess the situation from their knowledge and make recommendations accordingly, and I am just hoping that we can get such a thing formulated in this Yukon Territory. I think that on this Commission Board there should be one Member that represents the retail outlets and two that should represent the general public, or the Commissioner, or the Council, whatever you may call it but, certainly, we have got to the stage where we have got to have a Liquor Commission. These changes every year to the Liquor Ordinance...is just out of this world and I think it is unfair to expect Council to have to keep either agreeing or throwing out certain changes in this, particularly since many members of Council do not have full knowledge of the situation. Further to that, I note that years ago we opened up the selling of wine and beer in restaurants. I was very much in accord with that. The object was to raise the standards of the eating places and no doubt it has in some instances...raised the standards...but it certainly, in many instances, has lowered the standards until some of these cafes, on a Sunday, are almost taking the place of a beer parlour. This has to have a great deal of study by people that understand what they are studying so that they in turn could make their recommendations to the Council and the Commissioner for legislation for the better management of the whole business and I think it's just about time that we had this Commission operating.

Mr. Southam takes the Chair.

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Mr. Taylor: Mr. Chairman, I whole heartedly agree and I think it is significant to note that we appointed a Liquor Commission way back in 1963 and Councillor Boyd was the Chairman of that Committee. One of their recommendations I have before me...their very first recommendation was that a liquor commission be appointed and that the commission be all powerful and free of interference, that the commission consist of a chairman and two members and that the commission shall be appointed by the Commissioner-in-Council and that the commission should hold office at the pleasure of the Commissioner-in-Council and that the Chairman be engaged on a full-time basis and that the two members be engaged for a two-year term and be paid $20.00 per sitting plus any travel expenses. This was a recommendation forwarded to Council at the Spring Session of 1964. They went on to point out that the Commission should manage and supervise all things pertaining to liquor in the Yukon in accordance with the Yukon Liquor Act, refuse, issue cancel or suspend licences or permits and they also noted that all who presented briefs were asked if they favoured a commission as recommended herein and the answer was yes without any exceptions at all. Probably Councillor Boyd could elaborate on that point but it is significant that Council have urged the creation of this Commission ever since that time and I am very pleased to see that the Administration are giving it serious consideration finally because I say this is wholeheartedly necessary for the proper administration of the Liquor Department and matters pertaining to licencing and all things involving around liquor in the Yukon.

Mr. Taylor resumes the Chair. Mr. Watt enters the Chambers.

Mr. Boyd: Well, Mr. Chairman, I haven't read this...diagnosed it shall I say, word for word, but I get the impression, from this Sessional Paper, "a Liquor Commission of three members appointed by the Commissioner to either advise the Commissioner on the issue and the removal of licences" and so on. Now, the intent here was not as it was written there and this is going to be my point. This Committee, it can advise and advise and advise and it still is helpless. It has no weight. It has no say and depending who creates an offence or something that is disliked....if there is enough pressure put on, Administration doesn't have to act. They have great ways of overlooking things and letting time lag and lapse and so on so it is my opinion is that no man should be asked to go on this Committee unless it is going to have some benefit...that is some control....some oomph...because in the first place you make the recommendations and if they are implemented, that's fine. You will make enemies with the people and you will get nothing for it. It's an advisory committee. It's like any other Committee appointed. I don't think it is fair to the Committee at all and it wouldn't work. It would be no different to what it is now. If Administration saw fit to put the recommendation in, they would. If they didn't, they wouldn't. This is not my idea of a Liquor Committee and unless we are going to change the status quo of the Administration or the management of liquor with a Committee, then we are doing nothing other than talking and I can see, if we are going to talk about this Liquor Ordinance and its changing...the changing of it...at this Session, to me seems to be entirely wrong. If you want to change it, let Council say what views they have and what they would like to see implemented and let some Committee work on it with a view to having an Ordinance or an Amendment to the Ordinance before the next Council but we went through...I was going to say hell and high water...the last time we worked on this Liquor

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Mr. Boyd continues:
Ordinance. We were working nights. We were sitting around until one and two in the morning in instances, trying to get the right wording and it was all wrong in the long run so I am dead against doing something on the spur of the moment. There is nothing very much wrong as it exists right now that can't wait and give it the proper attention that it deserves because you are going to be faced with all kinds of arguments from all sources, namely the people who are handling the liquor. On one certain side, they want something. What they want is not going to be liked by those handling it on the other side. I am talking about restaurants, bars, and all combined. There is no unanimity there so who are we to say what we are going to do on the spur of the moment. I am not in favour of going along to this extent... certainly changes, yes, but let's not be trying to force it fast and give it the study it deserves.

Mr. Thompson: Well, Mr. Chairman, I think that from the gist of the Sessional Paper, this is just exactly what the Administration want to hear...the views of the various Councillors on these matters and I think that, as Mr. Taylor has pointed out, that a Commission of some sort is a very definite requirement. I think it is only the matter of the details of the responsibilities that have to be ironed out so I can see no great problem here. I think it is the case of augmenting this suggestion just as soon as possible. We have intimated that there should be people from the Administration and people from the business...from people who are in the liquor business....on this Committee. I don't know whether in fact this is a policy that is carried out in other parts of Canada. I don't think it is but this is probably something that can be given some detailed thought. Also, should Council have a representative on such a body as this? In the final analysis, any Amendments seem to come back to Council and it would be my belief that were there a Councillor on this Committee, it might tend to make the passage of any proposed Amendments a little more easily readyable. I think that where it says in the Sessional Paper here...it says, "three members appointed by the Commissioner"...I think here again, as Mr. Taylor pointed out in the original submission, that it should be the Commissioner-in-Council that makes this recommendation and I would very strongly support this action but I think it should be three people. As for the actual administration of this, I think this is something that would have to be worked out with various submissions. Do you have one on a full-time basis? Do you have the Liquor Control Superintendent on such a Commission? It would seem to me that he would be the logical one from the Administration side if we do approach it from this view. I would say one from Territorial Council and a third member from wherever you can find somebody that would be suitable and willing to serve on such a committee because as Mr. Boyd has pointed out, it's not going to be any piece of cake and you are going to be under constant criticism but those would be my views and suggestions with reference to a liquor commission.

Mr. Shaw: Mr. Chairman, I wonder if I might ask a question of the Commissioner. He doesn't have to answer it if he doesn't care to but...and it's in a general sense....if the Administration would be prepared, providing terms of reference and so forth could be drawn up, if it would suit him...would he be prepared to give powers to this commission, apart from just being an advisory commission...that they had powers to go around and do their job?

Mr. Commissioner: Mr. Chairman, what the Administration would like to do and what they may be able to do under terms of both the Yukon Act and under our own legislation may have some bearing on this but I would like to express my views from where I sit and where I see the problems with regard to administration of the Liquor Ordinance and that is, namely, that I don't feel that there is any one single individual who should be placed in the position of using his or hers discretionary powers when it comes to administration such as this. I feel that that power rests with the Judiciary. This isn't something that should rest with either one elected individual or one appointed individual. I think that these are matters that have to be dealt with by a group of people, as small a group as possible. I would also feel that this group that we are referring to here should be an authoritative group. In other words, they shouldn't be simply an advisory body. I personally feel that they should have authority such as the authority to issue licences, the authority to revoke licences, for just cause. I don't think they should have the authority to just wander around and because they don't like the way a person's hair is parted take their liquor licence away. I don't mean in that manner but I feel that they should definitely have these type of powers. Now, whether we can give them these type of powers or not as I say under the Yukon Act and under our own ability to legislate this is a question that I would have to find out from the Legal Advisor and no doubt these things would be subject to changes in legislation if they were possible to do but there would not be much point to having these people unless they have some authority. I also say this to you, gentlemen, that as the scope of the economic activity in the Territory gets greater and the amount of time that Council has to spend on legislative and other matters becomes longer, I think it is a good thing from the point of view of Administration and Council that we simply be faced with the problem of seeing that adequate legislation is available and the administrative policing should be in the hands of a group of people who are assigned this particular authority if this is possible to do. I reiterate again, gentlemen, I don't feel that discretionary powers with regard to the Liquor Ordinance is anything that should remain in one individual's hands. This is my particular point. I also say this to you, gentlemen, if these powers could be put into the hands of a commission type body, it would remove entirely the day-to-day pressures being brought to bear upon elected people and likewise administratively hired people to bring about changes which may or may not... it would leave us both in the proper positions that we are appointed to do first and foremost as elected people...we are here to legislate....and as salaried people we are here to conduct the day-to-day affairs of the Territory and the discretionary powers we get into the hands of an appointed board such as this. These are my feelings on this particular situation, gentlemen, and I express them simply as my individual views.

Mr. Thompson: Mr. Chairman....thank you, Mr. Commissioner. You mention that you are not aware of whether these powers could be vested in a commission type body such as this. I am wondering if the Legal Advisor would have this information available under our Yukon Act or under our existing legislation or to what extent changes would be necessary.

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Mr. Legal Advisor: Well, it rather depends on how you approach the subject. For instance, we have the Medical Profession Ordinance which is a self-policing thing but remember that when questions arise there, they are not matters which are brought to the Council table. You could create a complete machine...a complete commission...and I don't think that that would call for an Amendment to the Yukon Act but to do that, you would set it up as a complete commission. It would have its own empire under an Ordinance and you would have no direct voice in the conduct of its affairs. Now, this may be going farther than you would want. That is the advantage of retaining some administrative control....you can raise questions with the Commissioner. You are familiar with the situation in the Federal House where a question arises and the CBC, for instance, speaks through a Minister but the CBC, as a Crown corporation, is never there. It is always one step removed from being in the House answering for its own misdemeanours so you might find you ended up in this type of a position. You might have all the frustrations of complaints about the conduct of the commission without being able to do very much about it directly except change the Ordinance so at what point do you want to move from control to the creation of a complete ediface off on its own. I am more interested, if I may say so, in listening to the remarks of the Councillors and, indeed, to the questions that they are raising. I wouldn't be prepared to give conclusive answers to a lot of the questions that must arise today but if it has the view that changes should be made and those changes extend to the development of a commission philosophy, then I will have to ask the Administration to send me to Ottawa and work with the draftsman for a couple of weeks on an over-the-table basis to see what we come up with but that, of course, would have to be something that is done after Council has gone down. Previous attempts to improve or modify on piecemeal basis have created other difficulties and I would like the opportunity of listening to everything you have got to say and then going to work with the draftsman to concentrate on this...as I say...maybe two three weeks. There is a possibility of setting up a commission without having to modify the Yukon Act and I think that we should be able to overcome that by an Ordinance once we know how much power you want to give the Commission. That's stage one if you like. Maybe in three year's time, you want to give them more power.

Mr. Boyd: I just have one observation from a remark that was made. Somebody names what the committee might consist of and one was a representative of those dispensing the product. I don't agree with this at all. I feel that if there is going to be a committee, they have to be men of high calibre thinking, unprejudiced, unbiased, and capable of dealing in a fair way with the people's interest as a whole and I would not want, for instance, a man like a lawyer on a three-man committee representing his handful of people. The rest of the Yukon in a sense would not have the protection that they should have. So, the man at the head of this Committee or the men on it should be independent entirely and capable of judging fairly what is right and you need no representative from the brewery or from Carlings or from any name that you want to use.

Mr. MacKinnon: Well, Mr. Chairman, I expected to hear something along those lines and I disagree with Mr. Boyd. How are you going to know anything about the situation if you don't have a man in that business? This would be like putting a plough jockey on a fishing boat. Where would he get? Do

Mr. MacKinnon continues:
you think he would get any fish? I don't believe he would. I think Mr. Boyd should know better than this. If you don't have a man from the business, what have you got? Do you want three church pillars on this committee? I would suggest that we would have one Territorial Councillor. I don't know if there is any with such a high calibre as Mr. Boyd speaks of but also one in private liquor business and one from the administrative side. I would suggest that this is about the best we could come up with and this is a ridiculous idea to say that we don't want anybody from the private liquor business. This is the very people we do need. Take a look around. Go to Alaska and see what you have got there. You've got members that are in the liquor business. If you don't, you wouldn't have a board that was worth two cents.

Mr. Shaw: Mr. Chairman, I still maintain that you must have, if you are going to make this operative, a person that is going to be representing one of the retail outlets...representing the retail outlets...because they are conversant with the problems. That's why I think it is quite necessary. After all, I don't know the percentage but possibly they are responsible for retailing maybe a third of the total consumption of liquor in the Territory. I do agree that to get the knowledge in that phase of the industry, if you can call it such, it requires one person, however, the person I do not feel should be a member of this committee is a member of the Territorial Council. For example, if Mr. Boyd was a representative on the liquor committee...he has to spend a great deal of time on it. He is a representative on the School Board or Teachers' Management Consultants and he has to spend a great deal of time on that. I don't think it's fair to ask a Member to have to serve on those Boards for the simple reason...on this Board I should say....because he is subject to a great deal of pressure and about all he can ever get out of being a member of this would be a lot of bricks and very few bouquets and I don't think it is necessary to have a Member of Council. In saying that, Mr. Chairman, I can point out that on many occasions when members have been on a committee, particularly a committee that doesn't involve Council except one Member, he comes back to Council and he gives the viewpoints, the policies, the methods from this committee and in most instances, or in many instances, he gets a tremendous blast from any other Members of the Council. It's not fair. It's not just that any Member of Council should be on this Committee at all. I feel that the public can be represented, the Council, the Commissioner, and the Government, and the public, can be represented by two members and certainly one from the outlets and give these people sufficient power that they can operate under the existing Ordinance in relation to licences, that they can make proposals for changes in legislation from time to time which will have been well studied before hand and will provide a basis whereas we can make it as sensible as it is possible to get in the liquor laws and I don't think you will ever satisfy everybody. I am sure you could not.

Mr. Chairman: Have you anything further on this item, gentlemen?

Mr. Watt: Mr. Chairman, I would like to suggest that we do something constructive with it rather than just pass it on. I think that we should help to direct the Commissioner if we do want a committee to offer at least the numbers and the types of people that we want. Is this what you want, Mr. Commissioner?

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Mr. Commissioner: Mr. Chairman, this is exactly what the Paper is here for. I would like to hear from Council on these three items. If it is their desire to have a Liquor Commission, and as the Legal Advsior has pointed out, the more observations that we get from Council, the better opportunity we have to see what we can construct, and if it is Council's wish that we do so, we would be very happy to bring forth the results of our labours at the first session of Council we can possibly get them here which would be in the fall and at that point Council can pass judgment on it as to whether or not we have brought forth something that satisfies them.

Mr. Watt: I go along with the idea of a liquor committee to advise Council and to make recommendations as to changes in the Liquor Ordinance and I think the committee should be appointed by the Commissioner-in-Council as has been suggested here. I think that it is almost imperative that a member of this committee be somebody that is in the liquor business one way or another so they understand it and it would be folly on our part to pass Ordinances or pass laws that would make it administratively almost impossible for the operators to handle it and this is where some of the main difficulties with the Liquor Ordinance is. We don't have a lot of difficulties with the over the counter sales. A lot of our difficulties are with the operation of the establishments and I think a member of the Administration... I am not strong on the point that it should be a Territorial Councillor. If we were at the beginning of our elected term, I would suggest that possibly it should be a Member of the elected Council to help advise and steer this through Council and point out the different arguments to Council but I am not strong on the point. It could just as easily be a member of the general public...an upstanding citizen...an average type Joe. I think that could be a committee that could advise Council and I wouldn't want to see this committee have licencing powers to licence. I would like to ask the Commissioner one question. I was under the impression that when we had the last hearing that the Commissioner had called on a liquor licence...right after that time...I think the Commissioner of the day had stated that anybody that complies with the Ordinance...has the required number of rooms and doesn't have any black stars against him or something like that...can get a licence either in Whitehorse or outside of Whitehorse or anywhere in the Territory right now. Is that right? This is one question and one other question with respect to the Liquor Ordinance is a question that has arisen... I wonder if possibly the Legal Advsior could comment on it.. and that is section 24...I think it is section 24...with respect to renewal of licences within the municipality of Whitehorse. Do they have to be renewed every year? I would like to hear your comments on that...whether they are operating illegally and if so, how could we amend the Ordinance so that they will not be operating illegally?

Mr. Boyd: Mr. Chairman, aren't we discussing the liquor commission rather than what is wrong with certain aspects... with all respect, Mr. Watt.

Mr. Chairman: Right, gentlemen. I wonder if we could stay with the matter of the liquor commission first. We are taking this in three parts...and deal with one at a time.

Mr. Shaw: Mr. Chairman, I would like to ask a question of the Legal Advisor as follows. Have they a liquor commission in British Columbia with regulatory powers or does the legislation have to look after this the same as we have it here?

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Mr. Chairman: I wonder if you could take that question as notice and I will just call a short recess.

Tuesday, May 2nd, 1967
11:00 am

PRESENT: Mr. Commissioner

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Mr. Chairman: Gentlemen I will now call Committee back to order and we are discussing matters relating to the liquor commission. What is your further pleasure?

Mr. Shaw: Mr. Chairman, I had a question of the Legal Adviser Mr. Chairman.

Mr. Legal Adviser: I have before me the Government Liquor Act of BC. There have been some extensive amendments and I cannot tell you the effect of these amendments because this would involve bringing in several more books and I would have to be sorting them out for each section. But the constitution of the Liquor Control Board in BC is found under Section 132 and that would be: Not more than three members to be appointed by the Lieutenant Governor in Council, who shall be paid such salaries as the Lieutenant Governor in Council might fix; he may at his discretion appoint one of the members as Chairman of the board and he may fix the number of members to make a quorum. And each member holds office during pleasure, good behaviour; there is provision for the appointment of a secretary and a number of vendors, clerks, servants and so on; and every order for the purchase of liquor by the Government shall be authorized by the board so that they would have control of inventory and choice of stock; and no member of the board, no member, official, inspector or employee of the board shall be directly or indirectly interested or engaged in any business undertaking dealing in liquor whether as owner, part owner and so on. Now that I should add is a fairly typical provision and the way in which the boards inform themselves is not by having a member who is interested in the trade but by calling upon witnesses in the trade - that's the usual way. However, the duties and powers of the board subject to the provisions of the act and the regulations they shall determine the localities within which government liquor stores should be established and the number and the situation, establish all necessary warehouses, provide for construction, leasing of warehouses and stores, determine the nature, form, capacity of all packages to be used for containing liquor, appoint or designate any person they think is advisable as an analyst, authorize such officials as they may think necessary to issue permits under this act. Then there is power given to the Assistant Commissioner, the Royal Canadian Mounted Police to act in default of enforcement by a municipality. Now you are probably not interested in that. The Lieutenant Governor in Council may appoint one or more inspectors or prosecuting officers who under the direction of the Attorney General shall perform such duties as he may require. Now why that provision is found in there in relation to the board I don't know. It seems to be rather out of place but it was amended in 1965. Now the board shall from time to time make reports to the Attorney General covering such matters in connection with the administration or enforcement of this act that he may require and shall prepare and forward to the Attorney General annually a report for the twelve months which shall contain a statement

of the nature and the amount of the business transacted and a summary of prosecutions and a statement of the number of licences in existence, a detailed statement of the number of licences issued, renewed, transferred, cancelled or suspended and general information and remarks as to the working of the act in the Province and any further information requested by the Attorney General. The accounting is handled through the Minister of Finance who advances the necessary funds and insists on the accounting back for the expenditure. Now there is machinery provided for the repayment of these advances and the board has authority to pay staff directly, pay the salaries and disbursements of the members of the RCMP who are specially detailed for enforcement, reimburse the Treasury Department and pay for all expenditures incurred in establishing and maintaining the liquor stores and in the administration, the payment of the expenses of transporting for prisoners convicted of any offences under that act. Now those are the powers that they have and they may give receipts and they have to prepare a balance sheet every year. The net profits of the board are paid into the consolidated revenue fund. Now to deal with Councillor Shaws question on regulations, they have a general power to make regulations subject to the approval of the Lieutenant Governor in Council. Now the power to make regulations is to make regulations not inconsistent with the spirit of the act, and then we have something like two or three pages of specific regulatory functions: regulating equipment and measurement of stores, prescribing duties of officers, governing purchase of liquor, determine classes and varieties of liquor to be kept, prescribing hours during which the Government liquor store should be open, providing for the issuing and distributing of price lists, prescribing the official seal, providing for the payment by the board of shipping charges, prescribing forms, prescribing the nature of proof to be furnished if permits are lost, prescribing fees in respect of permits and licences, prescribing kinds and quantities of liquors which may be purchased, prescribing kinds and quantities of liquors which may be kept on hand by permit holders, regulating the sale of liquors by holders of permits, prescribing records of purchases, prescribing quantities for which prescriptions may be given, prescribing manner as to giving and serving notices, prescribing for the transfer of licences from one holder to another or from one premis to another. Regulating the warehouses, regulating the sealing of packages, prescribing special accommodation facilities in premises which are licensed, providing for different classes of clubs, prescribing special services which shall be furnished, like a dining lounge, restricting the classes of licences which may be issued, in any establishment, restricting the scope and effect of licences, prescribing fees for licences, prescribing fees, schedules and methods of valuation, governing and regulating premises in respect of which licences may be issued, governing issue and cancellation of licences, governing construction, governing cancellation and issue of banquet and entertainment permits , governing the purchase, delivering, keeping for sale, cpnsuming of liquor. In fact I could go on for another page but there's very little that they can't offer some regulation on and they have as you can see from what I have read out a very thorough control

and now the question is really, is that what Council would like to see in the Yukon. It seems to work well in BC and we can draw upon their experience and does Council want to go that far at this stage, or what modifications does it want?

Mr. MacKinnon: This in no way applies to the Territory

Mr. Chairman: I believe that we have set the example for the provinces with our liquor ordinance in the past, I don't see why we should start following their pattern now and furthermore we cannot afford to do what they are doing and one thing I note that you did not mention is they have municipal control of liquor outlets in the provinces and you don't have such a thing in the Territory, so just how this would work... for instance the municipality, say Beaver Lodge in Alberta for example, that municipality sets its own hours and moreorless controls liquor within that municipality. Just how would you go about this at Haines Junction?

Mr. Legal Adviser: Well if you had a board with the same powers as the BC boardyou would be able to prescribe those hours.

Mr. Southam: Mr. Chairman, the more I sit on this Council the more I've come to the conclusion that you need a liquor committee. It seems that every session this thing comes in front of us and I think it's about time we had a committee to take some of this work away from Council and from Administration. The committee as I see it must be given powers; if you give a man a job you must give him powers to be able to work and therefore whoever happens to be on the committee must have these powers and I for one do not agree that there should be a Councillor on it and I would never agree to it if I was going to be in Council for the next 10 years, which I am not. Also I agree with Councillor Boyd that there shouldn't be anybody on it who belongs to a liquor industry either. My idea of a committee is one, if you can get three good, broad-minded citizens to act and be paid for this, this is what you need, somebody that can think up legislation and they should also have the licensing of these premises, they should also be able to appoint and inspect these premises, especially in the outside districts because I do believe in my own mind that the outside districts are not inspected as much as they should be, neither are they policed the way they should be. I am also of the opinion that most of these wayside cafes are moreorless nothing but a Sunday beer parlour, and this is from experience more than just hearsay. You drop in on them and have a look. Now this is a thing where your committee can come in and this is a thing that I think that your committee will have to do. Take it out of politics, give it some authority, pay them a living wage, at least the Chairman, and let's get them down to business. Every session that I have been here we have spent two, three or four days on liquor legislation, and why should we have to do this every time we sit. So gentlemen, this is my opinion on a liquor committee and I certainly think you need it and you need it badly, especially in here. Now you talk about your provinces, I think you will find that in the provinces you have one or two people and they have a very extensive

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power, far more power than what you intend to give the committee here, I can see that right now. Another thing is if you put a Councillor on to this Committee I agree with everybody else, I don't think it is fair because he's going to have the pressure, he's going to have lobbying, it doesn't matter which way you look at it, you get it now, what would you get if you were on a liquor committee. What would you get? You'd never get any rest, somebody would be after you all the time. So therefore gentlemen think twice before you put a Councillor on it and if I was a Councillor you'd certainly never get me on it.

MOTION RE LIQUOR CONTROL BOARD

Mr. Shaw: Mr, Chairman: I have a motion I would like to propose. I'm not trying to rush this deal, we can still talk on the motion. The motion is as follows: That the Administration bring before Council at the Fall session recommendations for the formation of a liquor control board together with terms of reference and draft legislation to put this into effect in line with the Yukon liquor committee report. In other words Mr. Chairman, this is something that they can bring forth, they can work it out during the summer time and bring it up for Council at the Fall session. And with their alternatives they will probably have two or three alternatives for Council to study.

Mr. Watt: It sounds good to me. Could you read it again Mr. Shaw?

Mr. Shaw: I might not have it worded just right. That the Administration bring before Council at the Fall session recommendations for the formation of a liquor control board together with terms of reference and draft legislation to put this into effect in line with the Yukon liquor committee report.

Mr. Watt: I will second that.

Mr. MacKinnon: I don't quite follow: "in line with the Yukon liquor committee report" - You are asking to set up a liquor committee at this time, is that the intent?

Mr. Shaw: Mr. Chairman, my intent is we have these citizens go round to everybody and interview them, as you know, and they came back with recommendations. One of their recommendations was that a three-man committee be formed and that's all I'm asking and I feel that the Administration will set out what they feel are workable terms of reference for the Yukon, not necessarily the same as the provincial, they will put down the terms of reference under which this committee operates and they will possibly have two or three alternate proposals to put before council and also at the same time if they have draft legislation covering this - in other words Mr. Chairman you would require an ordinance that would give certain powers to this committee in line with the terms of reference, and that way the whole thing can be wrapped up at the next session, but it's not something that goes into being now it's something that is worked on during the summer and it will be applicable to the Yukon Territory and I think that Council at this stage

can go through it and they can accept or reject and gradually as happens come to a compromise on certain issues, and you have something then that takes it out of the sphere of politics as it is now.

Mr. MacKinnon: Mr. Chairman, could I ask Mr. Boyd if this committee is still active and just who are the members of it.

Mr. Boyd: No Mr. MacKinnon, they have long since gone.

Mr. Chairman: Gentlemen, are you prepared for question on the motion?

Mr. Boyd: Before you call for question on the motion, I think it might help Mr. MacKinnon in his thinking. I think the liquor committee that you talked about did remark that the buying and the selling and the paying of wages and so on, it was not intended that this committee should step into this field. Let them run their own bank account but the committee has a broader concept than just getting into the bookkeeping end of it. We're not concerned about that really.

Mr. Chairman: Gentlemen, are you prepared for the question?

Question called on the motion MOTION CARRIED

MOTION CARRIED

Mr. MacKinnon: Well Mr. Chairman, we have one paper from the Edgewater Hotel to members of Council and I hope this will not bar any changing of the liquor ordinance until next Fall or hold it back. Will we still be permitted to make minor changes in the Ordinance in conjunction with this Mr. Chairman?

Mr. Chairman: Well Mr. MacKinnon, we still have some matters related to this type of thing to discuss as yet and if we could just carry on and deal with them one by one... The next item of consideration for you revolves around two questions, and that is whether or not the Court should compel a witness to give evidence against a bootlegger and in the second instance if a bootlegger is convicted they ask if the Court should have the discretion to interdict the bootlegger. Mr. Legal Adviser you could possibly explain this one to Committee.

Mr. Legal Adviser: If the Committee turns to the extract from the British Columbia Liquor Act, Section 114 there, it sets out the circumstances in which, shall we say this degree of compulsion can be imposed and how it is imposed. Shall I read that aloud or would the members prefer to study that. I really cannot improve on that except to re-state it. If there is a prosecution and the person refuses to say where he obtained the liquor which caused his investigation he is in addition to any other penalty liable to imprisonment of a period not exceeding three months or until he sooner discloses the names of the persons. Now that is the first part of 114 and the question is an open question. Administration doesn't take any position; it has been asked to raise this question with the Council and it is for Council

to examine the pro and con. Now if we can help by calling any witnesses we will do this. I believe the initial stimulus for this presentation came from the Social Service group. Now if you wish to hear anybody speaking on behalf of that group, I don't know whether the Magistrate would be available, I believe he is interested in this type of problem, or members of the RCMP, or if you like you can also call a few convicted bootleggers and see how they feel about it. After all you have got to hear both sides of the question.

Mr. Watt: Mr. Chairman, I would like to say with respect to this, if I were under-age and was threatened like this I would sooner take a beating than be put under a threat like this and if I did succumb to have to give names I think I would pick out a name like Jim Smith or Mr. Hughes or something like this and let them work on that and see somebody like that pick their way out of court. They may win the case, they probably will, but it will probably cost them a thousand bucks to do it and I don't see why this is necessary. I understand they are getting convictions now, not very many because I understand that bootlegging is at a minimum rate now because people are able to buy it over the counter after hours, after the liquor stores close. I don't know. What is the case going to be where a teenager goes into his father's house and takes his father's liquor, or something like that. What are the circumstances there? And what if the under-age person says I simply found it. He is liable to this imprisonment for three months. Now I grew up, I was a teenager too and I had the odd bottle of beer before I was 21, but I would be a convict, I would have a criminal record if I didn't give the police some information that they thought I had. I don't even necessarily have it and the way lawyers are up here, the cost of justice, there are very few teenagers that could afford justice and I think that I am disappointed that this is even in here. Just because is it in a BC Ordinance I don't see why we need it right now. As far as I'm concerned it's not particularly justified. It's almost like searching without a warrant which is a national issue right now and even all the police chiefs have disowned having anything to do with it. It's like killing a fly with a sledge hammer.

Mr. Thompson: Mr. Chairman, in view of these few remarks I would wholeheartedly suggest we ask somebody from the Social Services branch to give their side of the story on juvenile participation in this problem and I think it would be an eye opener.

Mr. MacKinnon: I think it is just wasting time. Now you are talking about interdicts. In many cases the husband will be interdicted and the wife is not, so the wife can go to the liquor store and buy the liquor. They might as well not have interdicted the husband, or it could be vice versa, and this is exactly what you are talking about. You are always looking for more teeth for the Gestapo and I think that there's plenty teeth in the ordinance at the present time and we are just trying to make this a complete Gestapo colony and pretty soon there will be no room for the private individual at all, he will have no rights left.

Every time he turns round he has a threat over his head for something that's very unnecessary and just because somebody gets a fancy idea ... Things are not so bad; I don't think the Courts are having too much trouble at the present time. I haven't seen in the papers where they have had any trouble with bootleggers for a long time. I think we've gone the long way around and cured this particular misfortune when we allowed liquor to be sold at the cocktail bars and different outlets. I think this has pretty well put a halt to the bootlegging and like I say all you are going to involve is a man's wife or a wife's husband and I don't think you would be gaining too much that way.

Mr. Boyd: It's not very long ago since Mr. MacKinnon was complaining bitterly about the cost of welfare and how ridiculous some things were and I wonder if he remembers that 90 some odd per cent of the cost of welfare was attributed to the very subject we are talking about.

Mr. MacKinnon: To bootlegging?

Mr. Boyd: To alcohol. And I think we're going to waste our time here talking about something of which we don't know all the circumstances and I would like to ask Mr. Chairman that we invite whoever has the knowledge to impart to us concerning this particular subject and then we can talk more sensibly and maybe more intelligently.

Mr. Chairman: Does Committee agree with this proposal?

Mr. MacKinnon: If it will help Mr. Boyd I will agree.

Mr. Southam: Well Mr. Chairman, I don't know where most of these people live - I belong to the hinterland myself and we have considerable juvenile delinquency up there, same as we have in Whitehorse and where does it come from? From your cocktail lounges that are sold over the bar and are sold again, for your information Mr. MacKinnon. That is where it is coming from. You haven't stopped the bootleggers, you have only made it a little easier for some of them now. This is where it comes from, a lot of it and I know there's a lot of it. And another thing for your information, it is about time that something is done with these juvenile delinquents that are hitting the can so heavy and I think a little more teeth into this thing is what you need and if you get a bootlegger selling to a teenager I would say cut him off and cut him off for a good long time too, and make it when you do get him, make it worthwhile. And I am not talking through my hat I am talking from what I see on the streets and what I see in other districts and you can go to Pelly River or Mayo or Elsa or Calumet and you see it and you can't deny it. And this is what I see and I keep my eyes open when I travel.

Mr. Watt: I think that if there is a problem with respect to under-age drinking then there is some other way we can get around it, not by this. What we are doing is making a juvenile. If somebody is 20 years old and he goes into a bar and has a drink, he could be bigger than I am, some of these fellers are six foot, six foot two and they have whiskers this long and they look 30 instead of 20 and if they don't start squealing to a fuzzy-faced

policeman then they get a criminal record. And you have done nothing constructive but given somebody a criminal record, and if I thought there was a need for this and maybe there is a need for some discouragement for those that are selling to people under age, but not this. I am certain that there is something a little bit easier than this. This is not teeth, this is just creating criminals and anybody that worked in a bar and serves somebody, if the person that happened to serve them, whether they remember the name or not, is going to get the finger pointed at them and say - well Mr. X there I think served me - so then he would have to go and defend himself because somebody is under pressure to name somebody else otherwise he's liable to get three months in jail. So he's going to pick a name, so that person is going to have to start defending himself and if he hasn't got enough money he's going to be found guilty so the trial doesn't take place in the courthouse, the trial takes place in the police department where this kid points a finger at somebody and says Mr. Shaw or Mr. Boyd or Mr. Thompson or Mr. Taylor or Mr. MacKinnon or Mr. Southam sold me this, or I got it out of his car and left a ten-dollar bill or something like this. And if the under-age person doesn't point a finger, that will make a criminal out of him. If there is a problem there surely we can think of something that is not this severe and I would like to ask the Legal Adviser if this is still in force? I have never heard of it being in force and I have never heard of a conviction or anything else under it in BC.

Mr. Legal Adviser: As far as I know Mr. Chairman it is still in force. Regarding its use I don't have any information; that is on the compulsion aspect of course. There is a second question as to whether the court should have discretion to cut off a bootlegger if he is convicted. That's not a matter of British Columbia legislation, that is a suggestion for the Yukon. There are two questions in the middle of the second page of the paper: one is the compulsion, the other is the disenfranchising of a bootlegger. Now I have every reason to believe that Section 114 and 115 of the British Columbia Liquor Act are still in force.

Mr. Shaw: Mr. Chairman, I feel that people selling liquor to under-age persons and frequently this means 16 or 17, is a terrible offence and certainly something should be done. I do agree very much with the fact that bootleggers should be interdicted when they are caught, however I don't know how it works in British Columbia but it appears to me to be a little too strong. For example you pick up a person that has been drinking and quite frequently they won't know where they were at the certain stage of their intoxication and if they are threatened with say three months they could quite easily say - well I doubt they would refer to Mr. Smith or Mr. Legal Adviser but they could refer to any outlet at all that gave them the liquor and if they do that voluntarily, yes, but with the threat of a three months jail term hanging over them I would imagine they could be clutching at a straw and name any person they felt would serve the purpose and that person then would be in a very bad position; he could very likely, if he could prove enough he could get out of it, but it could put him in a position where it would create a great deal of expense and trouble and various other emotional factors. It would

not be fair due to this person naming, that's the part that I see in this particular matter. And I take a very dim view of bootlegging to interdicts and to juveniles but it seems to me at the same time to be a little rough by virtue of what I have just said. I would certainly agree that a person caught bootlegging should also be interdicted, it will stop them purchasing the liquor at least - not from drinking it and it might help but it won't be the total answer. But I 'm afraid, this penalty to me, there are too many holes in it, too many things that can happen that would possibly create more problems than what they would solve. I see the necessity for something along these lines but this is a little too severe I think for the circumstances.

Mr. MacKinnon: Agreed. I would just like to make it quite plain that I am definitely not in agreement with this and as Mr. Shaw has quite plainly pointed out, this could be very dangerous. Some years back in my area there was a man arrested with liquor, a native, before they were allowed to purchase liquor, and when they brought him to court he accused the arresting policeman of supplying him and this is the way it stayed and there wasn't very much they could do about it and you are going to find the same things will occur if this type of thing is enforced.

Mr. Chairman: Well gentlemen I believe it is your intention to have with us at two o'clock a representative of the Department of Welfare, possibly Mr. Clerk you could look after that?

Mr. Commissioner: Mr. Chairman, may I suggest to you that it is the Social Service Society who are an interested citizen group who have initially made these representations. I forget who I saw - I saw several signatures - perhaps Mr. Legal Adviser... Magistrate Trainor was one.

Mr. Legal Adviser: Yes he has taken an interest in this. I am not sure whether he would be available but it was the Social Service, the citizens' group, not the Welfare Department.

Mr. Commissioner: Mr. Taggart I believe was a senior man in this particular group Mr. Chairman. Could I suggest that you might consider leaving it in the hands of Mr. Clerk and Mr. Legal Adviser to have a satisfactory representative?

Mr. Watt: I would just like to say Mr. Chairman that if a majority agree that this particular section of the BC Act should not be enforced here then I think it is redundant that we request anybody from the Social Service to come here. To change legislation, if there is a problem such as this, and there could very well be, and Council, some of them, have already indicated that this may be a little hard and we either should have the legislation here right now or just have our comments recorded and legislation prepared accordingly for a different ordinance in the Fall session of Council. I don't require the services of anybody from the Social Services right now. This particular ordinance or this BC Act

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that is being requested here and I notice this is a sessional paper submitted by the Administration on the 27th April 1967 which is a few days ago, it looks like the Administration are creating considerable problems, going out of their way to find different things for us to talk about in this session. We've got some important things to do this session - we've got the five-year agreement, the budget, some other legislation and if the Administration with their large staff here, if they are continually looking up things that they think Council should pass an opinion on - we've done this before and never received the legislation. If they have something in mind, bring the legislation here and we will amend it but we can spend two days on this one item and never see the legislation on it and we have done this on several occasions. One example of this is the Labour Provisions Ordinance. We discussed that in Council four times and it took a few days each time and we haven't got the legislation. And this is the same type of thing. Most of our ordinances here, the Administration sees a problem, they try to mend it by the creation of an ordinance, they bring it to Council and Council either accepts it, amends it, or rejects it. But we've just finished having a fight over excessive police power, arrest without warrants, etc. and now the same type of excessive powers are coming back. Now I would like to ask the Commissioner to please... and every time this same problem of excessive power comes up there's a fight in Council here . There is some here that think it's fine and others who don't and it's fairly evenly divided so it's a long drawn-out fight and if this is what the Council want and the Administration want I will stand here and argue and fight as long as anybody else wants but I don't see what constructive can come of it now anyway unless the legislation is right here before this Council and if the Administration is prepared to draft this ordinance with respect to this at this session and I would like to leave this question with the Commissioner, or he could possibly answer right now. Is it your intention to draft an ordinance with respect to this if we pass it at this session? Or is it just the opinion of the Council that you want?

Mr. Commissioner: Mr. Chairman, it goes without saying that when these matters are presented to the Administration particularly matters as highly controversial as this, certainly we are not going to go to all the work of having legislation prepared unless we have a pretty good knowledge beforehand of what Council's feelings are and this is why these things are brought to your attention. Now for me to say that Council agrees, that they wish to see something of this nature, to say that we would have the necessary legislation available for this session of Council, this I would have to ask the Legal Adviser. I question it very very much because we already have just as heavy a work load at the Administrative level as Council has at their level here but if Councillors feel Mr. Chairman that we are bringing these matters to your attention and asking for your advice simply to create work or to prolong the Council session or to create dissension , I wish to say emphatically that this is not the question. This is part of the total question concerning the liquor ordinance and this was done on my instructions that this was put before Council which came to me and Mr. Legal Adviser will verify to you what I told him at the time that for me personally that this was just too stiff a dose of medicine; I just couldn't see this

myself , but I don't legislate for the Territory, the Territroial Council does this and it should be their decision as to whether or not in fact they wish us to proceed with such legislation and give effect to this, or if they feel that the matter should be left as it is or something of a lesser nature. I hope I have made myself clear Mr. Chairman that I have no intentions of any kind of creating division or dissention between Council or Administration of council or anything in these matters, but I simply have to ask what Council's wishes are.

Mr. Chairman: Gentlemen I wonder possibly we could pursue this after lunch in view of the time.

Mr. Boyd: Yes, but Mr. Chairman, I would like to... we haven't decided really that we are going to invite anybody here yet, have we?

Mr. Chairman: Apparently gentlemen I have your direction that we wish someone from the Social Services Society here at two o'clock this afternoon.

Mr. Boyd: Well I was the man that made this request and I thought we were talking about employees within our own department who are dealing with these particular people. We are paying out money for such I am sure and it is in their opinions that I am interested because they are in this business of handling these people - have these people that are mentioned herein - Social Society or whatever it is, gone to our own people and got any recommendations and why do the recommendations not come from our own people?

Mr. Thompson: Mr. Chairman, I suggested this too, that we have somebody from Social Services too but I was thinking in particular of Mr. Keating who is on the Alcoholics Services and this is who I had in mind and I think conceivably that these public spirited individuals have made submissions through this branch and this would be the person I would have in mind.

Mr. Chairman: Does Committee agree?

Mr. MacKinnon: I object to this Mr. Chairman, on the basis that we are here to represent the people and I believe it is our job without relying on the Civil Service to tell us what to do and how we should do it. I think I am quite capable of representing my area and I hope that other members would feel the same and not have to rely on the civil service for every little thing that comes up.

Mr. Chairman: Could I have your concurrence at this time or otherwise gentlemen as to whether or not you would like Mr. Keating?

Mr. Watt: There was the question that Mr. Commissioner had left with the Legal Adviser which is important as far as I am concerned. It means that everything else is redundant and does the Administration have time at this session to draft legislation with respect to this. Mr. Commissioner said he couldn't answer because he said the work load was heavy, that he would have to ask the Legal Adviser and I would like to hear Mr. Legal Adviser's opinion.

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Mr. Legal Adviser: It is brought into the paper because of the representations that were made. I had thought that if Council wanted it then this would be included in the overall restructuring of the ordinance for the Fall Session. But if Council said - we want it in this Session. We approve of this - then it would be no chore at all to simply put it in our Ordinance because we would just take the wording that exists in B.C. and say right, that's it. There is no difficulty about that but whether you approve of it is another matter. I don't think you really want me to verify what the Commissioner said but he did express a personal view about it and said that in a small community a boy who was put under this sort of pressure and eventually had to disclose the name of his supplier, he would have to live the life of a dog. Everybody would give him a bad time. He would be known as a squealer. You will notice that in the paper which the Commissioner has signed the question is put to the Council. It is not a recommendation to the Council at any stage. For instance, the legislation might seem slightly alien in concept. In other words, it may not be exactly cricket, this type of thing. But whether the situation is bad enough to call for this type of legislation is a matter for examination and decision by the Council. That's why it's here.

Mr. Chairman: May I have your concurrence or otherwise as to whether or not you wish Mr. Keating here gentlemen?

Committee: Agreed Contrary: Councillors Watt and MacKinnon.

Mr. Chairman: We will have Mr. Keating here at two o'clock-- Mr. Clerk, if you could arrange this, and I will call a recess until two o'clock this afternoon.

Tuesday, May 2, 1967.
2.00 P.M.

Absent Councillors MacKinnon & Watt

Mr. Chairman: I will call committee back to order at this time. We have with us Mr. Keating in order to assist us with matters relating to the proposed amendments to the Liquor Ordinance. May we proceed then. RE LIQUOR ORDINANCE AMENDMENTS

Mr. Thompson: It was intimated this morning that there was some proposed changes asked for in the Liquor Act based on the British Columbia legislation at this time, and I felt that it was worthy of comment from the Alcoholic Councillor's Department to give us, if he could, some background on this paper of juvenile drinking and how it relates to this particular Sessional Paper and the first question I would like to ask is whether you, Mr. Keating, have seen this Sessional Paper? MR. KEATING

Mr. Keating: Yes sir, I have had an opportunity to take a look at it. It has been just a brief look at this particular paper. However, I am familiar with the British Columbia legislation and perhaps - I don't know just how much background you gentlemen have on this particular paper. Should I sort of approach it at length and give a little background or should I just answer specific questions?

Mr. Thompson: Mr. Chairman, I think the background would be appropriate.

Mr. Chairman: Yes, that would be fine.

Mr. Boyd: Mr. Chairman, first of all I'd like to hear what our problems are. We have had quite a lot of the B.C. wording of their Act read to us this morning. My concern is do we fall in line with this? How much trouble are we running into and so on, with our own people. Now, I'm not interferring with your question but this is my thinking but you go ahead with what you want - you asked the question.

Mr. Keating: Perhaps I could put it this way. I became interested in this legislation when it was first suggested by Magistrate Trainor as a possibility and this was suggested to the Social Service Society committee on juvenile delinquency. Magistrate Trainor is faced quite often with young people drinking, appearing in Court and he says there have been more bottles found next to telegraph poles in the Yukon Territory than anywhere else in Canada. He was quite interested in having this legislation, or some form of it, adopted. Now, as far as I know there is no organized bootlegging in the Yukon Territory. There is no organized operation as far as buying and selling alcohol illegally. The young people whom I've spoken to who do acquire alcohol and whose friends do say there are people in the community whom they know that they can go to and say would you get us a bottle or that they can give a couple of dollars over the price of the bottle to and receive their alcoholic beverages so it isn't a case of the R.C.M.P. being able to look for a bootlegging ring. It's a case of individuals who have developed a habit of doing this and the young people have come to expect it and I believe that it is this kind of thing that Inspector Pantry and Magistrate Trainor and the Social Service Society would like to combat if possible. From my standpoint I feel that

Mr. Keating continues...

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it does present problems in the Territory, young people drinking and I cite as an example, in areas of Alberta by Grade ten only about 50% of the children therein have had any experience with alcohol. Here in the Yukon Territory, and this based just on talking to three or four high school classes here in Whitehorse, 90% of Grade ten students have had some experience with alcohol. Now I can't tell you how much this is or where they got the alcohol but there is a higher proportion of younger people drinking here. So that from this standpoint some kind of legislation would allow the Magistrate leave some way of trying to find out who these people are would be helpful. I would not by any means be interested in seeing the B.C. legislation adopted holos bolus. I feel that it should be pretty carefully rewritten. It seems there is a tendency therein of civil liberties being violated. Now, have I covered it sufficiently?

Mr. Thompson: Mr. Chairman, I think that gives us cause for concern and as you state we might be able to accomplish the same ends with not quite so drastic measures as have been incorporated in the laws of British Columbia in this respect.

Mr. Boyd: Mr. Keating, are you an Albertan or from British Columbia.

Mr. Keating: No, sir, I cameinto Canada four years ago from the United States, from the state of Connecticut. I worked for the National Council of Alcoholism and for an affiliate of theirs in Connecticut just outside of New York City and then I spent three years in Alberta prior to coming to the Yukon.

Mr. Boyd: The reason I asked the question - in your work do you find - you indicate that 50% more are knowledgeable as far as the drinking of alcohol is concerned in the Yukon - is this noticeable when you are working throughout the Yukon?

Mr. Keating: Yes, sir, it is. There is afairly high proportion comparatively speaking, of young people suffering from alcohol problems and asking questions about it. For example I have case files on three teen-agers at the moment who are definitely alcoholic. This is higher than we have, proportionately speaking, in other areas that I have worked and I include the New York City area.

Mr. Chairman: Speaking from the chair, there seems some question in the minds of members in relation to the forcing of a witness to give evidence against an elicit bootlegger. Is this one of the things you refer to (inaudible) in the B.C. legislation (inaudible...)

Mr. MacKinnon enters Council Chambers.

Mr. Keating: I believe that there is a possibility here. Now, I haven't had the opportunity of really going over this legislation. Now I feel that this is something that could be better done by people with legal training but I do feel that there isn't much limit on the amount of coercion that could be placed on young people in this situation and I should think there should be some kind of limit set but mind you I'm

Mr. Keating continues...

speaking out of my own expertise in this area.

Mr. Chairman: Mr. Commissioner, would you like to join us?

Mr. Boyd: Mr. Chairman, I think that answers Council's queries very satisfactorily and in a very short period of time. I have no further difficulty in making up my mind on what I want to say as far as what I'm going to do with this Sessional Paper.

Mr. Chairman: Are you gentlemen clear?

Mr. Thompson: Mr. Chairman, I think as Mr. Boyd has stated that clarifies the situation entirely. One faction says there is no problem and when we can get the information from somebody who is working with it (inaudible).

Mr. Hughes: May I, Mr. Chairman, ask a question - if I understood Mr. Keating - he said that he felt the British Columbia legislation was perhaps too coercive - indeed it appeared to be the feeling of other people, then he suggested that something else might be worked out . Well, you either have compulsion or you don't have compulsion as I see it - looking at it from a draftman's point of view now - you either provide teeth or no teeth because if you not only put in dummy teeth - that's meaningless and makes a farce of the whole thing. If Mr. Keating had an area of experience where they had been able to come up with something better than this B.C. approach which after all is better than the one that Magistrate Trainor recommended for consideration, I'd like to know about it because I don't want to be faced with the problem of trying to draft powers to compel a witness to give evidence and yet those power are not to be coercive- I just can't do it.

Mr. Keating: Unfortunately I only had a very short time prior to coming here, otherwise I would have had an opportunity to go over experience in other areas. I can find materials from other areas how this is handled and bring it to Council or to the Legal Adviser if this would be helpful, but it is not something that I can do on the spur of the moment. I'm going to have to write to some of these places and get this information specifically.

Mr. Hughes: May I make this suggestion? Since we do hope to come back in the fall with a draft bill, if there is some machinery that Mr. Keating feels he could bring back to you on this point then we will prepare an appropriate draft section and then it is up to the Council at that time to say yea or nay.

Mr. MacKinnon: Well Mr. Chairman, in view of the points that have been made by Mr. Keating I would say that I believe this problem still lies within the jurisdiction of the elected members and when we call a witness we don't call a witness just to take his advice. Whether he be part of administrative staff or whether he be part of a group that has consolidated themselves within the Territory and I think each Councillor has a duty to perform for their own area and to take into consideration the value of the statements put

LIQUOR ORDINANCE

Mr. MacKinnon continues...

before them. My children are at the present time moving into the teen-aged group and I would hate to see charges like this levied against teen-agers where they could hold them in custody for three weeks to force him to say where he got the liquor and put pressure. This might reduce his entire character for the rest of his life and I think this is a very dangerous aspect and I believe the Council should give consideration to just what is involved and for instance if a child, as Mr. Shaw pointed out this morning, is in an intoxicated condition and could not remember where he got the liquor and he was to say I think I got it from Mr. Boyd-then, and finally he makes an ... decision and said yes Mr. Boyd provided the liquor. Then Mr. Boyd is going to have to spend thousands of dollars out of his own pocket to defend himself because this particular juvenile has stated that he did get the liquor from Mr. Boyd and possibly at the time the liquor was purchased the child didn't know where he had got it and to be able to hold him in custody for this length of time and let the police force on him at their free will and some of this has been very ungraceful. For instance at Prince George a couple of years ago the end result through perseverance of public opinion there was two R.C.M.P. were dispersed - they had to let them out of the force on account of the abuse to prisoners - just forcing young people to say who done this and who done that and I think this is very very wrong and the way things stand in my estimation will provide for the circumstances and I believe that this particular part should not be considered by Council at this time, if Council are representing the young people of their own area.

Mr. Chairman: Gentlemen, I wonder if at the moment we could get back to - if we have any further questions to ask Mr. Keating.

Mr. Shaw: Mr. Chairman, I would like to ask Mr. Keating whether regarding the drinking among the teen-agers, would that be pretty general - all over the Territory or would there be any particular area which had a much more serious problem (inaudible) more organized problem?

Mr. Keating: I am not able to answer that question at the moment because we simply don't have the facts to back it up and I don't know. I would hope that by the time we complete the study that is being presently implemented in the schools of the Territory that we will be able to give you a specific answer to that question. I just have no way to be able to answer that question.

Mr. Chairman: Are there any further questions?

Mr. MacKinnon: I have a question Mr. Chairman. I would like to ask Mr. Keating if he feels that an improved educational system will contribute to overcoming the existing problem.

Mr. Keating: Yes sir, I believe it will. I think that any kind of alcohol education that we can implement is good with

Mr. Keating continues...

young people, providing it is a curriculum that is build specifically for the age range we are trying to reach aimed at giving the facts about alcohol and drinking and I am not talking now about scare techniques but about factual, scientific information about alcohol so that the student or the young person, with the advice of his parents, can reach a reasonable conclusion when the age of discretion is reached.

Mr. Chairman: This is also a recommendation of the Liquor Committee.

Mr. Shaw: I wonder-if Mr. Keating has done quite a lot of research in the Yukon, would most of these children who are partaking of alcohol be children of parents who also use it to what we normally call excessive amounts - is that predominant or is it over the whole structure of society?

Mr. Keating: Generally speaking children follow their parents drinking habits. If the parents are light drinkers they would tend to be light drinkers; if the parents are heavy drinkers the children would tend to be heavy drinkers. But this is a tendency. I can't say that all in each case would follow but generally speaking this is the way it seems to run.

Mr. Shaw: It would have a large influence?

Mr. Keating: Yes, it would.

Mr. MacKinnon: Mr. Chairman, I have another question for Mr. Keating. Is this an opinion of your own or is this a proven fact?

Mr. Keating: This is - on the basis of studies that have been done both in Canada and the United States - not on a study done here in the Yukon but this is on the basis of experience which is believed to be universal. The studies seem to show this, yes.

Mr. MacKinnon: You're not saying it definitely is a fact? It appears to show that way?

Mr. Keating: I would say, sir, that generally speaking children follow their parents drinking habits. Now there are differences but generally speaking world-wide, children tend to follow their parents drinking habits, whether it be heavy or light -- certainly not the same kind of behaviour, perhaps but in an amount consumed that would tend to be the same general area.

Mr. MacKinnon: Well, Mr. Chairman, on this particular point I disagree. In many cases, I could name the cases but I will not at the present time, people in the Territory where the parents have consumed a lot of liquor and the children are of the highest standards and do not drink at all so I don't believe that you actually are giving us any definite statistics on this particular question because in many cases of which I am well aware this was not a fact.

LIQUOR ORDINANCE

Mr. Shaw: I asked a question because I believe that to be so from my own personal observation.

Mr. Chairman: Any further questions? No questions. May Mr. Keating be excused, gentlemen?

All: Agreed.

Mr. Keating: Thank you very much gentlemen.

Mr. Chairman: Gentlemen, how do you wish to proceed in this matter?

Mr. Boyd: Mr. Chairman, I would move that in this particular subject administration attempt to get a formula that it is prepared to present to Council in the next session that will tend to correct the troubles.

Mr. Chairman. Could you write out your Motion, Mr. Boyd?

Mr. Southam: I will second that motion.

Mr. Chairman: I will declare a short recess and secure the draft for this from Mr. Boyd, the motion that is.

Mr. Chairman: I will now call committee back to order. We have a Motion. It has been moved by Councillor Boyd and seconded by Councillor Southam that item two be deferred to the fall session, taking into consideration the discussions as noted in Votes and Proceedings. Are you ready for the question, agreed, contrary -

MOTION CARRIED

MOTION CARRIED

Mr. Chairman: Gentlemen, the third item for discussion is the matter of dining lounges and in this respect we have a Motion set aside, deferred in Committee, Motion No. 21 by Mr. Thompson. I wonder if you would care to read the Motion at this time Mr. Thompson.

MOTION NO. 21

Mr. Thompson: Mr. Chairman, do you want the total Motion read or can we just discuss it as per individual sections, or just to what extent?

Mr. Chairman: The motion will have to be read and voted upon one way or the other or withdrawn as the case might be so it will have to be read. (See pages 1212 (a) & (b) re Motion.

Mr. Thompson: (Mr. Thompson reads Motion No. 21-Amendments to the Liquor Ordinance). May I proceed, Mr. Chairman? Well, it is pretty well self-explanatory. As you will note in the present Ordinance for the provision of control and sale of alcoholic beverages, section 12 has a, b, c, d and e sections and so this would in no way conflict with the existing sections. This is merely an addition and the amendments, of course, are to your fee schedule where they have inserted an amount of $250.00 to cover this new licence and I would point out that this dining lounge licence is something entirely different than the dining room licence for which we have existing provision in the Ordinance and I would just point out that there is a decided difference as you can see by the provisions that have been set out in

MOTION NO. 21.

Moved by: Mr. Thompson

Seconded by: Mr. Southam

Re: Amendments to the Liquor Ordinance.

That certain additions and amendments to the Liquor Ordinance are required as set out following:

"Section 12 F"

(1) "Dining Lounge" means part of an establishment provided with special accommodation, facilities, and equipment as prescribed by the regulations where, in consideration of payment therefor, food and such special services as may be prescribed by the regulations are regularly furnished to the public and liquor is served with meals;

(2) The Territorial Council of the Yukon Territory may issue a "dining-lounge Licence" for the sale and consumption on the premises of liquor by the glass with meals;

(3) The Territorial Council of the Yukon Territory, may subject to this Ordinance and the regulations, issue to the owner of an establishment a licence for a "dining-lounge" which shall have special accommodation, facilities, and equipment prescribed by the regulations for the designated parts of the establishment in respect of which the licence is issued, a dining-lounge licence.

(4) Nothing in this Ordinance shall prohibit the presence of persons under the age of twenty-one years for the purpose of consuming a meal in premises licenced as a dining-lounge under this section, but no beer, wine or liquor shall be served or offered to such persons;

(5) The employment in premises licenced as a dining-lounge of kitchen help or serving staff who have attained their eighteenth birthday is hereby permitted and, subject to the general supervision of an adult person, such staff may dispense and sell beer and wine which shall include liqueurs and liquor to patrons.

"Section 12 G"

Preliminaries to Granting "Dining-Lounge" Licences

(1) No "Dining-lounge" licence in respect of a dining room shall be granted to any person unless

(a) he is, in the opinion of the Territorial Council of the Yukon Territory, a fit person to keep and operate the kind of premises in respect of which a "dining-lounge" licence is sought;

(b) he is the true owner or a lessee having a written lease for not less than one year of the premises;

(c) the premises of which he applies for a "dining-lounge" licence are so constructed as to be sanitary and otherwise suitable for the carrying on of the business in a reputable way.

.... 1212 (b)

SCHEDULE

Amendment to Schedule:

(b) (1) Dining-Lounge Licence

(1) to a dining-lounge.....$250.00

Regulations:

(a) In every dining-lounge

(1) the tables shall be covered with tablecloths or other equivalent suitable covering or surfacing,

(2) an adequate supply of flat-ware, china, and other table service shall be available and used; and

(3) meals, for which adequate menus shall be provided, shall be served at regular breakfast or luncheon or dinner or supper hours, but where the establishment is classified as a hotel and has no other dining-room, meals, for which adequate menus shall be provided, shall be served at regular breakfast, luncheon and dinner hours.

(b) In a dining-lounge, liquor shall be served only to a person having a meal therein while seated at a table.

MOTION NO 21

Mr. Thompson continues...

these new additions so I think gentlemen we will conceivably have some questions for discussion on this but I wanted to make that provision known to you that in the Sessional Paper that was presented, No. 109, where they have made comment about serving intoxicants from kitchens, this has no bearing on whatsoever. This is entirely different from the Administration's point of view. I think that should cover it for the moment, Mr. Chairman.

Mr. MacKinnon: Mr. Chairman, in view of the sub-section 2, section 12(f) I am wondering if this comes in line with the Yukon Act. It states here in Section 2, sub-section(f)- Territorial Council, of the Yukon Territory, may issue a dining lounge licence. I believe the issuing of licence is strictly an administrative problem under the Yukon Act. I wonder if Mr. Thompson has completely checked this out?

Mr. Thompson: Mr. Chairman, I would say that the reason for the inclusion, or the wording of it at this time was to bring to the fore the need or the possible issuing of such a licence during the course of this session so that conceivable benefits could accrue for proposed dining lounge licencees for the coming season and this is in contrast to the existing provisions where the Commissioner, may, subject to any of these conditions grant a licence and it has been my understanding from comments made at this table that the Commissioner would just as soon be out of this position of being in a dictatorial position of saying 'yes' or 'no' and so in order to get the administration off the hook then I have merely suggested that the Territorial Council issue the licences under this provision and this provision only until such time as the proposed changes and amendments that the administration have put before us today for consideration.

Mr. MacKinnon: Mr. Chairman, I wonder if he has read Section 4 of part 4 of the Yukon Act?

Mr. Thompson: Mr. Chairman, I will have to answer in the negative and maybe the member can enlighten me.

Mr. MacKinnon: Mr. Chairman, it states here that the Commissioner shall administer from time to time, by the Governor-in-Council, or the Minister and I believe this completely takes the jurisdiction out of Council's hands and they cannot administer licences.

Mr. Boyd: Mr. Chairman, I note in Section 12 (g)(a) he is in the opinion of the Territorial Council of the Yukon Territory, a fit person to keep and operate the kind of premises in respect of which a dining licence is sought. This is out of the field of Council, in my opinion. I would never go for this, not even for once let alone twice because it is not our field. We are not here to be judges. There should be wording in the Ordinance to take care of all this in order that administration itself can administrate and in no way can I tolerate this and I am also wondering who is going to define what the difference is between a dining lounge and whatever the other title is that Mr. Thompson mentioned; certainly not me as a Territorial Councillor. This has to be wrotten out in black and white so that there can be management and .. there has to be a lot of talk go into this and I greatly fear, as far as I'm concerned, I want a lot of time to diagnose it and it won't be done at this session, I don't think.

MOTION #21

Mr. Shaw: Mr. Chairman, I think Mr. Boyd pretty well gives my feelings with respect to this - take the Commissioner off the hook and climb on the hook myself - I think it is a very smart move and I can assure you, Mr. Chairman, I feel that when the licencing gets into the political sphere that's an extremely retrogressive step. This must be something controlled by administration in one form or another and the Liquor Control Board of course is the answer which we hope to have functioning in the Territory in a very reasonably short time so that to define all these things are very, very difficult. If we look at what we have now-beer and wine, etc. served in restaurants I am sure when this was passed by Council Mr. Chairman, especially by myself I didn't foresee the end results of this legislation. I don't think it has worked out at all to raise the standard of service o the public in most of the instances, in some it has yes, but in most cases it has not. I think it is retrograding rather than improving the standards.

Mr. Southam takes the chair.

Mr. Taylor: Mr. Chairman, it had been my intention at this session to attempt to come up with somewhat the same thing but a completely different approach to the problem and that was to provide the service bars in licenced dining rooms under a system where - as you can in other provinces in Canada, most of them anyway, where you can have a cocktail with your meal and you are not restricted to beer, wine and liqueurs in a licenced dining room. Now I wish to specifically say certainly not cafes - only in dining rooms and this was the wish and desire. But dining lounges, I can't agree or answer at this time. I think really what you call a dining lounge would be a night club and what we have provided is that any cocktail lounge or cabaret lounge-in them we encourage serving of food and indeed in many places in the Territory you can find food available, made available at these places but I also agree that the Territorial Council are not the people to issue this particular licence and I could not support this Motion but I still say that I think especially in view of the Centennial year being here and upon us and if we are to provide a service to the travelling public that is available to them in other parts of Canada, that we could consider the suggestion of allowing service bars in licenced dining rooms upon application and here again if we have our liquor inspector or a liquor inspector in the field this summer policing this whereby someone is caught abusing the privilege of serving liquor, for instance, in his dining room, then his licence is cut right off completely. You'd have to have some teeth in this thing. But I can see where we could be able to affect that change with very little difficulty but this dining lounge deal - I can't go along with it at this time.

Mr. Boyd: Mr. Chairman, just one more thought. If I read this thing right it mentions a bar in the kitchen, served from the kitchen - if this is so I'm against that - that bar, if it is going to be a bar it has to be out in the public where the people can see what they are buying and what and how it is being poured out.

Mr. MacKinnon: Mr. Chairman, I recall where we made stiff regulations here several sessions ago regarding liquor outlets and one was for the City of Whitehorse where there is a requirement of thirty rooms available to serve hard liquor and

Mr. MacKinnon continues...

on the highway this would require twenty rooms available and now we are asking for dining lounge licences. This would give every, I would say two bit outfit in the country an opportunity to sell hard liquor and you could cut up a little dining room and you could get a liquor licence and you could sell hard liquor. And this particular licence would cost you $25.00 under the present Ordinance, where a Cocktail Licence in the City of Whitehorse at the present time is $500.00 and in the outer areas it is $250.00 and the addition to a cafe which is a dining lounge under this recommendation would be $25.00 licence. Now I am quite in favour of this and I say that it is necessary to establish this type of thing in high class dining rooms but I would suggest instead of this thing reading 'establish a licence for a dining lounge' I would say a 'hotel dining lounge' and if this was a hotel dining lounge then I would say it was very well covered because this evidentally would be a licenced premises already but just to give it to a dining lounge this would mean I could set up a cafe in the centre of Whitehorse and run the same type of liquor business as what you are requesting the other person to have 30 rooms to operate and I don't think that this is very fair and as far as the sub-section 2 of Section 12(f) where it states the Territorial Council of the Yukon Territory may issue a dining loung licence, I believe that this should read Commissioner in Council. And I believe that is very dangerous ground we are treading on the way that the Motion is written, I would have to vote against the Motion.

Mr. Boyd: Mr. Chairman, could I ask a question of the mover of the Motion? I'm not quite sure as to the time that this lounge would operate. Would it operate and serve the beverage during a certain period of meal hours or would it operate according to the choosing of the management or say 24 hour service?

Mr. Thompson: No, Mr. Chairman, these are regulations that can be written in to comply with existing licences. It is primarily for mealtimes but also in conjunction with existing times and as far as some of the comments around here about anybody being able to get a dining lounge licence, well if you had listened or read this Motion you would see that this is not the case. These are specific requirements which individual applicants have to come up to so there would be no instance of somebody setting up a two bit dining room and expecting to get a dining lounge licence for $25.00 as was intimated and the chief cause for concern here seems to be that the Territorial Council haven't got the fortitude to act in this respect, whether the Commissioner in Council would make it any more palitable, I don't know but I would very much like to see-if this is defeated it will mean that conceivably one of the better spots in Whitehorse will not be able to provide the amenities this summer in keeping with some of the other establishments and I think if you will note gentlemen that this is going a little bit further than the present Ordinance in that it is making the acquiring of such a dining lounge licence a little more difficult to come by and in that way guaranteeing a higher class of service.

Mr. Taylor: Mr. Chairman, the people I was attempting to get to when I suggested a service bar as you do in other provinces where cocktails are provided before meals, was these very people that Councillor Thompson was trying to get to but I don't like the way that this is projected and I certainly don't feel that Council should have anything to do with the administration of this thing; that is, the issuing of licences and so forth. We have set up a system whereby

Mr. MacKinnon: Mr. Chairman, I think that under regulations this is plainly written in sub-section 3. If Mr. Boyd would like to turn to sub-section 3 of Motion 21 it states the menus for breakfast, luncheon and dinner or supper hours. Now, you don't have breakfast at ten o'clock in the morning normally so this would mean, I would suggest basically twenty-four hour service according to sub-section 3.

Mr. Taylor: Mr. Chairman, I would not think that would be the intention but I did want to bring out one point too which seems to be over-looked - talking about spelling out legislation to where it polices itself and this will not work and this is where Councillor Boyd raised a good point. He said if you have these licences for dining rooms and people use them after two o'clock in the morning to carry on their party, the answer here is a Liquor Inspector and by gosh we haven't had a liquor inspector for a long time. We've got to get one. We are running this as big business in the Territory and we just have to get ourselves a Liquor Inspector who could pop into these places at two or three or four o'clock in the morning and if they are caught over serving or not operating these things in a manner conducive to the Ordinance they are shut down and their liquor licence is taken away and they don't get another one for a while. And this is all there is to it. It is a matter of policing - no matter what you produce. And this is where we are falling down so I say 'look to your Liquor Inspector to police this thing and then your - half of your problems are over.' If some one abuses the Ordinance, he knows the rules, he knows the rules of the ball game and you throw him out of the ball park and that is all there is to it.

Mr. Boyd: This here is the meat of the whole situation and it was brought most emphatically in the Liquor Committee report but it got no action whatever and this is where your Committee comes in and until you say we have a committee with the powers that the committee suggested then you have nothing as far as liquor inspection is concerned because they are under pressures, political pressures or whatever they may be and this is where the recommendation of the liquor committee are all meaningful insofar as the operation of this liquor business is concerned.

Mr. Taylor: One final thing, Mr. Chairman, there are powers, the powers of the Liquor Inspector under the Ordinance are pretty strong. The only thing is we have no Liquor Inspector. Whether we have a Commission or not doesn't affect this at this particular moment.

Mr. Boyd: Mr. Chairman, I beg to differ with you. We have had a Liquor Inspector for cons of time but he has never been able to operate because he could not go and say 'close down' without coming to Administration first and getting his orders from them. This is obvious. This is - it isn't a case of teeth - it is a case of politics or pressure groups and so on interfering and this is where your liquor committee will come in - no Civil Servant wants to be with his back up against the wall but a proper liquor committee or liquor board has enough protection that he doesn't ever need to get his back up against a wall unless it is with the Territorial Council.

MOTION #21 Mr. Taylor continues....

the Adminnistration issue licences. We have set up the terms that they must live up to in order to give a licence and maintain one, and it would be rather foolish with only two council sessions a year whereby someone did want to acquire a licence - whatever this might be - to have to wait for a Council session to come up and the Council involved itself in the day to day administrative duty now handled by the government. I really think the service bar idea is the answer. Instead of the $250.00 licence an additional $25.00 possibly could be placed on an existing - I don't call it a restaurant licence, I call it a dining room licence where you definitely got to have a dining room and not a cafe or restaurant to enjoy this privilege. This is what is required. As I say we have a big summer coming up and I can think of only two places, certainly in this area and probably my own where people other than a hotel would be applicable here and that is I believe the Gold Room and the 202 Club in Whitehorse. And I see no reason why the public cannot have the right to sit down and have cocktails with their supper and in order to do this we have to provide service bars but I don't think this approach is the one. I can't go for this dining lounge deal.

Mr. MacKinnon: Mr. Chairman, I would like to say the Motion has a lot of merit and I am wondering if Council would consider a recess and the mover and the seconder of the motionwould agree to amendments to the motion and I believe we could possibly work out amendments to the motion and make it quite workable in the final analysis. The way the motion is written it will no doubt meet with defeat and as I say there is a lot in the motion that has merit and there is a lot of these things I would like to see exercised but I would be prepared to make amendments to the motion if Council would give me time.

Mr. Boyd: Did you ask a question, Mr. MacKinnon?

Mr. MacKinnon: If Council would go along with a recess where we could make provisions for an amendment -

Mr. Boyd: I would like to ask - I use as an example - there are establishments here that after the cocktail lounge is closed which is two o'clock in the morning, these places fill up and they are, by and large, another liquor outlet, until - well as long as they want to stay there because it is a twenty-four hour service if they so elect to make it and it gets rather disgusting. What goes on - over serving, meals are not a part of the subject even though there is a pretense - they don't even enter into the picture ostensibly and I would ask Mr. Thompson once more - does he know what the intent of this lounge operation that he is talking about is insofar as hours are concerned. Have they indicated that they will close at one o'clock at night or is it their intention to carry on indefinitely through the hours providing the business is there or are we supposed to establish these hours ourselves as Council?

Mr. Thompson: Mr. Chairman, in Section 12(f), Part (c) a statement setting out the hours that he will keep these premises open during the licenced year or any part thereof. So it is up to the individual to make his submission and then the Council or Commissioner in Council or the Legal Adviser or the Clerk of the Court will finally decide and that is the end.

MOTION #21 Mr. MacKinnon: Mr. Chairman, I would like to remind you it is teatime but we are getting away from the point. We are discussing Motion No. 21 and I don't see any provisions here for a liquor inspector under Motion 21. And I would like to bring your attention again to subsection 3 under Regulations where it states 'shall be served at regular breakfast, lunch and dinner hours' and I think this is the point we were discussing until we got off the beaten track.

Mr. Chairman: I will now call recess for tea.

Tuesday, May 2, 1967,
3:30 p.m.

Mr. Watt Absent

Mr. Chairman: Gentlemen, I will call Committee back to order and we were discussing Motion #21. Will you carry on gentlemen. MOTION #21

Mr. Thompson: Well, Mr. Chairman, I think it was Mr. Boyd, asked about hours on this and I would just point out again in Section 12 (8) that every applicant for this type of lounge licence has to apply to whomever we in our wisdom see they should apply to and they have to have a detailed sketch of the premises and they have to supply a statement setting out the hours that he will keep his premises open. And then this will be taken under consideration by the definite body that finally acts on these and could conceivably end up the Commissioner at his discretion. But, I would like to ask the Legal Advisor this Section 4 of the Yukon Act that has been thrown at me here with reference to the Commissioner shall administer the Government of the Territory-Does this have any bearing on this particular item Mr. Legal Advisor?

Mr. Legal Advisor: Well, the Council of the Yukon Territory is a legislative body. And, I repeat that it is legislative and the only departure from that is where you have your financial advisory committee. They cannot therefore undertake the administration and policing the issuing of licences and the general supervision of conduct of premises. They may enact legislation which enables this to be done. So as the material reads now, I would have to say that in those parts where it refers to the Territorial Council doing things that wouldn't be in order, but I raise the point because these problems are not the main problems. These are drafting problems. It was a question of whether there should be a licence of this description and what was intended there. I was not taking references to the Territorial Council. I was literally as some of the members may have done, because they couldn't perform these functions. But that should not, shall we say, lessen the discussion on the Motion. I mean this is just a drafting problem.

Mr. Thompson: Mr. Chairman, then could I further-I don't mean to digress, but in further to this then where do all these regulations and everything come in that states the Commissioner and the Council shall do this and the Commissioner and the Council shall do that. Isn't this the same difference if we had in a case like this with the Commissioner in Council?

Mr. Legal Advisor: It says the Commissioner in Council shall enact certain functions, but you see one of the difficulties is Mr. Chairman, that when the Council is not in Session it does not exist. It convenes and it purogues. It ... and dispatched. But once it completes its Session it ceases to exist until it is called to life again. It doesn't continue like liberal discretion. So how could you enter into the function of issuing licences, supervising. If you look at it like that you will see that it is an administrative field.

MOTION #21 Mr. Thompson: Well, in that case then, Mr. Legal Advisor would there be any reason why this Motion if it were amended to read the Commissioner of the Yukon Territory in place of the Territorial Council would there be any reason then why it could not be acted upon?

Mr. Legal Advisor: Well, to make it workable I would have to see then whether from that point of view the difficulties being entirely overcome. But if I may raise one or two comments on what I noticed in the suggested form relating to the regulations Council has expressed itself on the use of regulations and in 12 (f) 4 I--in turning over in my mind at the moment the effect that would have on Section 34 Subsection 3 as it was restated following the fall session of 1965. And that was where it said no person, no minor in effect, shall in part of the licenced premises. Now, the dining lounge provision here would have to be studied to determine it's effect on that provision that I mentioned. And then in 12 (f) 5 there is a reference to beer and wine which will include liquers and liquor. Now, there was previously in Section 12 (b) as reenacted in the spring session of 1965 reference to liquers shall be deemed to be wine in that connection where food is being served in the dining room. I would again have to spend quite a lot of time evaluating the effect of this provision and trying to determine how it effects the other provision. These are problems, not necessarily problems that can't be overcome. But looking at these things today they are problems that do arise. Could I also make this last point sir. I realize that I am talking at rather great lengths, but I can't at the moment speaking of the draftsman, distinguish between the dining lounge and the other type of provision that we have where meals are served. What is it that will make the dining lounge special. Is it the character of the premises or the amount of licence fee that is paid, or the mere arbitrary designation of part of premises will or if it is only a dining room become a dining lounge. These are the questions that are flicking through my mind at the moment.

COUNCILLOR WATT PRESENT

Mr. Thompson: Well, Mr. Chairman, in answer to that last question I would say that conceivably all three items that you brought into bearing there would have a bearing on whether it would be a dining lounge as opposed to a dining room. But also I think that this again would be up to the discretion of the person who has the say. Because it would bear out under Section 12 (8) that you would have to provide a detailed sketch of the premises, setting out the hours and things of this nature and then over in regulations where it says in a dining lounge the table shall be covered with table cloths, or some suitable covering and things of this nature and so forth, so conceivably there may be a dining room that could come up to the standards of this proposed amendment and qualify as a dining lounge. Here again I think there is considerably difference in the licencing fees. So whether or not they would want to do this I don't know. But, It isn't the intent of this is not to extend hours as some of the members seem to think but merely to give the public the opportunity of having a drink with a meal. In other words it is not a cocktail lounge, it is not a dining lounge or dining room or a tavern. It is a dining lounge and this is specifically what was intended, and the other item that you mentioned Mr. Legal Advisor, you were saying in relation to Sections of 12 (b) and 34 things of this nature.

Mr. Thompson continues... MOTION #21

But these have specific relation to existing to the existing Ordinance. In other words, they would be a dining room as opposed to a dining lounge. In other words I would think that this again would be a matter for your department to clarify. But it was the intent of this that this additional amendment would be self-sustained. In other words it does not have reference to a dining room. It does not have reference to a cocktail lounge. It has only reference to the dining lounge, and I think that, this is why I say that anything in this would only pertain to a dining lounge and not to the other section of the Ordinance. And whether this in fact can--or is workable or would be allowable I don't know. But this was the intent.

Mr. Commissioner: Mr. Chairman, could I ask a question in connection with this? Gentlemen, I don't know--it was some little time since I have studied the report of the liquor committee, but I remember when I was on Council and also I believe hearing several of the submissions that were made to the liquor committee and Councillor Boyd, could jog my memory if I am incorrect on this. There were several submissions made, gentlmen, concerning the availability of local options under the liquor ordinance. And, what you are discussing here this afternoon brings very much to my mind very difficult situation of putting down in black and white a set of rules and conditions that can be applicable throughout the whole territory when it comes to standards under which you are going to be licencing premises. Now, I think that council gave cognizance to this when they amended the ordinance of where it said within municipalities a certain number of rooms must be provided for whereas beyond municipal boundary limits a different set of conditions prevails. And, I am just wondering, gentlemen, if in connection with this type of thing here, if we shouldn't be giving a lot of consideration to local options where for example in the Province of British Columbia and the Legal Advisor could possibly correct me on this if I am wrong, it is my understanding that there are certain things in the liquor ordinance that can be made available in a community only after a ballot has been taken in that community. In other words, they have certain things that are availalbe on a local option basis. And, I am just wondering if Council have given any thought to a thing of this nature. For example when you were talking about dining lounges here. Does Council feel there is any need or any requirement of making this available in communities throughout the Territory on the basis of a plebiscite or a vote in the community to see whether or not in fact the community wishes to have these things. Now, I raise this point to indicate that this is my thinking, but I know very well that this was raised on one or two submissions. Am I not correct on this Councillor Boyd? It was when the liquor committee was sitting, now whether the committee saw fit to give recommendations to this or not I don't know. But, I see here when you are talking about this, fellas, that it is very difficult to lay down a set of terms and conditions. That while these might be the standards that should be set in Whitehorse, for to secure such a licence as this, this is pretty difficult to set these same terms and conditions for some of the smaller communities. And some of the smaller commnnities feel that what is available to people that has lived in Whitehorse they should have them too. Now whether they are right, or whether they are wrong I am not passing any judgement.

MOTION #21 Mr. Commissioner continues...

But maybe perhaps we should be taking a pretty hard look to see that what we are talking about isn't slanted towards just one area in the Territory. Perhaps we should see if it is available in other areas and also should be considered that this is something that maybe the public voice should be heard on before these things are made available or make them available on the basis that if a public voice is heard in their favour that they can be established. Perhaps Council has already talked about these things in the past, I don't know, Mr. Chairman. I simply mention this for your thoughts at the moment.

Mr. Taylor: Well, Mr. Chairman, as I say I don't think this is a matter for plebiscite. Not this particular item in any event from my own part at least. And what I was aiming for in a suggestion whereby the--I was looking at 12 (b) 1 where the Commissioner is subject to such conditions and so forth may grant to the operator of the dining room or other premises. Well, the other premises became restaurants I believe. But, certainly a dining room--it was my intention to--this is in the existing ordinance--it was my intention to propose at this session and this is why I have been asking all these questions about private members bills and I believe I had quite a bit of local communication between members of the administration on this. We could provide something for the whole Territory. Not just Whitehorse and not just Dawson or Watson Lake, but anywhere and still to enjoy this privilege one would have to come up to a certain standard. It might even encourage someone to fix up their dining rooms or offer better grades of service and this type of thing, depending on what standards we put up. But the basic idea I think is this same basic idea that Councillor Thompson is after and that is to be able to provide whereby the travelling public can have a drink or two with their meals. But not to be set up as primarily a drinking establishment and you can come and have a big steak there just like a nightclub. This is why I was after service bars only in licenced dining rooms in avoiding all this other nonsense. Because we have provided that an inspector may issue an order to suspend the licence pursuant to Subsection 1 of that Section. He has the powers of suspension if he finds as listed here someone is not doing wrong. But I certainly cannot agree that this is a matter for plebiscite. I think this is a matter for an amendment to the ordinance and restricting it not to other premises but only to dining rooms if you get my point. Not to restaurants. This would never, never, never be good. And this is what I am trying to get at. It has got to be a dining room somewhat as Councillor Thompson suggests. It has got to be up to snuff. I don't think I would be getting too specific on what it has on the table and that sort of thing. I was speaking only of services bars where a person could have a cocktail with their meal.

Mr. Thompson: Well, Mr. Chairman I think we are talking of two different horses. I think that what Mr. Taylor has in mind is amendment or an amendment to 12(b) that would just insert the word service bar there. And this is in conjunction with a dining room which is different again from a dining lounge. There was just one other matter. I did ask the Legal Advisor a question about ten or fifteen minutes ago. I was just wondering if he remembers the question, because I haven't heard the answer yet.

Mr. Chairman: Would you like to repeat the question Mr. Thompson? MOTION #21

Mr. Thompson: Well, Mr. Chairman it had reference to the different sections of the ordinance. He had made comments that he was wondering whether in fact part of the amendment that is included in Motion #21 might be in confliction or direct contrast to existing. And I merely wondered whether this proposed amendment would not be self-sustaining and it does not have any bearing on any other part of the ordinance.

Mr. Legal Advisor: Well, we could always put in a suitable preamble. But, it isn't the best approach to drafting to make separate compartments. ...section thereof. There is one point perhaps I should raise also and that is the fact that this of course would be a new licence and the applicant in the city of Whitehorse would have to come back with the approval of the city council under Section 24 (2) as it is now. That was the amendment introduced in December, 1965. You have a consolidation in front of you and you will find it is on the second page of the consolidated. And, it could be done that--it could be treated as an entity by itself. Special area in the legislation.

Mr. MacKinnon: Well, Mr. Chairman, I don't know what we are bickering about. Subsection 2 of Section 12(f) does put the motion completely out of order and then we go back to amendments, subsection D, subsection 1 dining room licence. Now, like I have explained to Council before. We have made stiff regulations already saying you must have 30 hotels in order to go into the hard liquor business. And now we are sitting around discussing as to whether we should give this to a dining lounge. Now, I don't believe that when this was introduced by Mr. Boyd two years ago that we were considering cafes. He was looking for a place to house people. And, I think this was the main contention at that time. But, we were short of rooms and now, to encourage more rooms we made regulations stating we must have thirty rooms before we could go into the liquor business. And 20 rooms on the highway. And I had a motion in Council the other day asking to reconsider and allow the people of the highway to heat only five rooms during the winter months and Council turned it down. The very man that had this motion in along with some of the other members around the table defeated this motion. Now we are asking for a full fledged liquor outlet in a restaurant or in a dining lounge which is the very same to me. But never the less, this is giving the man priority with no accommodation. What are we trying to do here. Do we ever get our thinking caps on and take a look at ourselves and see just from one day to the next day, and--just what are we trying to do. One day we won't vote for a cutback in rooms. The people are allowed to hold their licences and the next day we are trying to give licence to people with no rooms. I just can't follow the members thinking here. And, I think it is a ridiculous situation. I think the members should take a look at themselves. And see if they are legislating by force of individuals. At this time I would like to ask Mr. Thompson what gave him the initiative to produce this type of motion. Was it through a pressure suit. Did he prepare this motion on his own, or was it prepared by somebody else?

Mr. Thompson: Well, I don't know what sparked that blast. But, I have come to expect these things. There was a suggestion

MOTION #21 Mr. Thompson continues...

that conceivably if this were amended to read the Commissioner as opposed to the Territorial Council this might or might not receive some support as the mover of the motion I am not in a position to make an amendment. But if Council in their wisdom would like to then this would be fine. As I say I am merely endeavouring to get an amendment to the existing ordinance through at this session so that conceivably some action could be taken before the start of the tourist season.

COUNCILLOR TAYLOR RESUMES THE CHAIR

Mr. MacKinnon: Mr. Chairman, this doesn't answer my question very well I would suggest.

Mr. Southam: Well, Mr. Chairman, as seconder of the motion I seconded this because I think it was a thing that is sorely needed in Whitehorse and possibly in other parts of the Territory. I am talking about a dining lounge. If you go outside of the Yukon, if you travel and you go into the better hotels you will find there is two dining rooms. There is one in which you can take your wife or your family and you can have a dinner and you can have liquor with it. In the other dining room you can only have beer and wine. This is what I think is necessary in this town. I like to take my wife out to have a bite to eat now and then and if I want to have a whiskey with it, I would like to have it. And I would also like to have it where I know we are not going to be pestered with people hanging over our shoulder all the time telling us what a helluva good guy you are or--I have met you before or what a the other kind of a guy you are if you want to put it that way. This is what I run into when I come into Whitehorse. And that is why I think you should have a decent dining room where they are policed by the owner and not just let everybody and anybody straggle in and straggle out. Where you have to be dressed to a certain extent in this dining room, respectable and so on. And this is why I seconded the motion, gentlemen, in case some of you people are asking why I seconded the motion. That's why I did it. And this is why I will stick up for it.

Mr. MacKinnon: This is very conflicting. Now Mr. Southam is beginning to see the light. I will agree to that. He does state he is used to going to the Outside and travelling to where they have two types of dining rooms and this is exactly the point. I am saying this should be a hotel dining room. This is exactly the point. I am glad that Mr. Southam made it quite clear and I wish he would read what he has signed. Because they are not asking for a hotel dining room. And, they are asking for a dining lounge of no calibre whatsoever. Just a dining lounge. And, I say again that these should be confined to hotel premises and not to dining lounges. Because liquor as I said several times already today with your stiff regulations at the present time concerning hotels and their operations then you have got to give them some consideration. For instance, I remember down the street here where Norm Chamberlist was turned down on a liquor licence with approximately 20 rooms in his premises because Council said there must be 30 rooms. And, now we are going to give the same type of licence to dining lounges. I say dining lounges with hotel licences is what we should give this other privilege to, but not to dining lounges. I hope I have made my point clear, Mr. Chairman.

Mr. Boyd: Well, Mr. Chairman, this dining lounge-you would have to give it respect. I am sure the owners are not going to tolerate any hanky-panky monkey-business by people breaking up the furniture or anything like that. There is too much at state in the line of equipment and as Mr. Southam points out there is a need for a place like this. The thing that is worrying me is that we have nothing with which to base our opinion on. It has been sprung on us at the last minute, and it has it's implications, all kinds of them insofar as amending it and without conflicting with other parts of the ordinance and in order to make it possible we, or I should say Administration should --- hours to have to stay within and...agree to this kind of a lounge and must say how many that lounge can operate and how many hours a day it can stay open. I would want to know this before I passed this motion. If this is going to be open until twelve in the morning it is not then a lounge any longer. It is out of the dining room category. So, I don't know, I don't think there is any way that I know of anyway of making any special exemption or whatever way you want to put it to allow it to get underway this summer without changing the liquor ordinance. In other words I was thinking of a special permit of some kind. But I don't think this is possible. So, it boils down to the fact the liquor ordinance has to be changed. But I am saying gentlemen with respect it is wrong to think it can be changed here at this session. There is too much involved. There is too many implications and so on that effect one another. MOTION #21

Mr. MacKinnon: Well, Mr. Chairman, as long as Mr. Boyd keeps fluttering and changing his opinion undoubtedly we won't have enough time. We won't have enough time in the next five years, but I believe that Mr. Boyd is a strong contender of saying these hotels must have 30 rooms, or they cannot sell liquor. They are using this as an excuse to sell liquor. And, I can go back to Votes and Proceedings and read those very words of Mr. Boyd's where he spoke very strongly on this filthy liquor that is being sold. And, that we should put a stop to it and where his motion was passed in Council forcing the people of Whitehorse and the other districts to have 20 and 30 rooms before they could handle liquor. And I am just wondering if he remembers or realizes that he did make that motion and did have strong contention in that regard. And now today when he stands up and says that he is in favour of a dining lounge without rooms to serve the same purpose, the identical purpose these people were attempting to serve before and were handicapped by increasing the number of their rooms they would have to heat during the winter months whether there was rental for them or not. I am wondering if Mr. Boyd recalls his conversation and his plea to council in this regard. I would like to hear his comments.

Mr. Boyd: I remember it all very well and I would also like to remind the Councillor thathe may be talking from a pecuniary interest. I would also remind him that this particular place that is the cause of this destruction already has a dining room, it has a cafe. They are going to the trouble of a lot of money for something much better, certainly better than as far as it exists today in the Yukon as far as that kind of service is concerned. They have rooms also.

Mr. MacKinnon: Well, Mr. Chairman, I have a supplementary question to Mr. Boyd. When we changed the liquor ordinance are you discussing one individual? The way you speak now.

MOTION #21 Mr. MacKinnon continues...

You have one individual in mind. And, I think you should clarify yourself by naming this one individual party that you are representing. And, I am here to represent the Yukon and the people of the Yukon and not one party. And the way you have spoke it indicates you are representing one party and I believe you should come clean with Council and declare this particular party you are representing.

Mr. Chairman: Order...

Mr. Shaw: Mr. Chairman, could I ask a question of the Legal Advisor: I will have to explain my question. I believe in the ordinance to have a cocktail lounge and sell food you have to have 30 rooms in Whitehorse. And, now we have it in reverse. You are selling food and you are--instead of selling food with liquor, this would be the reverse. You are selling liquor with food. A full complement. Would that indicate or not that it must be an establishment of 30 rooms?

Mr. MacKinnon: Mr. Chairman...

Mr. Shaw: I asked the question of the Legal Advisor.

Mr. MacKinnon: Mr. Chairman, on a point of order I asked Mr. Boyd a question and Mr. Shaw jumped up before he got a chance to reply to my question and I think with all things in order he should have a chance to answer.

Mr. Chairman: Would you restate your question.

Mr. Boyd: Well, Mr. Chairman, I know what the question was and I consider it irrelevant, and of no concern--and as far as answering it is concerned, I am not concerned.

Mr. Legal Advisor: No, I don't think I can sir. The liquor licence in the hotel in Whitehorse, that is a liquor licence is not a cocktail lounge license. So, I say I can't quite understand the proposal that the Councillor has presented.

Mr. Shaw: Could I rephrase the question? Well, to rephrase the question is there any difference in selling meals with liquor or liquor with meals?

Mr. Legal Advisor: (Inaudible)

Mr. Shaw: Well, Mr. Chairman, I will have to rephrase my question again. If in the event that Council agrees to sell a full complement of booze. Let's put it that way. In a dining room and we have establishments that sell a full complement of food and a full complement of booze. Now, would not the requirement of a 30 room establishment be the same unless there was any change...you take it as it is at the minimum. In otherwords, the objective of I think 30 rooms...from the liquor and food and hours the establishment is to operate....If we turn around and give the person exactly the same privilege to sell exactly the same thing, it appears to me also that this would require 30 rooms or you would be picking on the people already under the ordinance. That is my question.

Mr. Legal Advisor: ...(inaudible) in this point you will be better to have privileges of hotels...and he would find that possibly he was not better off than a person with a small investment.

Mr. Boyd: Mr. Chairman, I believe we have a regulation now concerning the sale of--procuring wine and beer, that the sale of that comodity shall not exceed in dollars and cents the sale of the meal. The dining room is the factor and your meals must be at least equivalent to the amount of booze you sell. Now, I could ask Mr. Thompson if his intent of this kind a control would still apply? MOTION #21

Mr. Thompson: Mr. Chairman, I would say very definitely because I think that what you are saying in essense is that you are serving wine or liquor with food and not the other way around. And this is primarily for dining rooms. This is not for drinking. If you want to drink you can go to a cocktail lounge or you can go to a beer parlor or you can go to a tavern or you can go to a nightclub or a club or whatever. But this is merely to let you have a drink and by drink I mean beer, wine, liqueurs and liquor with a meal.

Mr. Boyd: As I say that seems to exercise a desired control with a case of enforcing it.

Mr. MacKinnon: Well, Mr. Chairman, I would suggest that this a very elusive function and it doesn't have any control because 50% of your food eaters do not drink at all. But then your liquor sales are based on the food sales. Now there is no stipulation at the present time as to whether you sell one bottle of beer or ten it depends on your overall sales. So, I don't believe that this carries one bit of weight, and if I am wrong I would like for the Legal Advisor to correct me. And maybe there are a lot of places that could operate differently from what they are operating at the present time.

Mr. Chairman: Mr. Thompson...

Mr. MacKinnon: I asked the question to the Legal Advisor.

Mr. Legal Advisor: Well, I am sorry I hadn't realized that that was meant as a question. I thought it was meant for me to intervene. I can just put my hand on the section... Could I come back that--I found the section, I am sorry, it is 12 (b) 7 (c). An inspector may issue an order to suspend a licence if in his opinion the licence is being used as a device to facilitate the sale of beer or wine, so he doesn't really to have to have a ... standard there. If he thinks the premises is not being run on the up and up he can step in or beer or wine is being sold to persons not consuming bona fide meals therein, if it's the rubber sandwich routine he can assert his authority and the money value or the money value of gross sales of beer or wine on the premises in any 30 day period exceeds the money value of gross sales of meals. It is not related customers meals to customers drinks. It is a gross and the Councillor is quite correct.

Mr. Thompson: Well, Mr. Chairman, I think that it may be clear to some, but it isn't to others. And I think that the inference here is that in places that have a dining room now is that you will sell as much food as you do beer and wine. And this is the inference. There is nothing to stipulate that you are running a dining room with a lounge privileges that you will sell as much liquor as you will meals. In other words, the amount of meals has no bearing on liquor providing it is greater.

MOTION #21 Mr. MacKinnon: Mr. Commissioner, or Mr. Chairman, let me put it this way. We run a cafe and, oh, serve a lot of native people during the week and they usually haven't got money for booze and the likes of this, but if the Commissioner came to visit at my place on Sunday and he had a sandwich and he wanted to drink a dozen beer that is quite permissible, because this would not out weigh my....sales and then somebody would have the means...could afford that dozen beers on Sunday. I (inaudible) within the laws that sell him that dozen beer with a sandwich. And, there would be---there is nothing in the ordinance that says that I can't. And, this is about the way things are run. Your general customers usually come in for a meal. On the weekend the customers usually come to drink and so you know...like I say, people with better wages and the like of this will want to spend on a Sunday and absorb the alcohol on their days off and this is quite permissible under the Ordinance.

Mr. Boyd: Well, I am interested, Mr. Chairman, in getting rid of this thing one way or another. And we are kicking around here from home base to first base and back again. Mr. Commissioner, have you any ideas that you would like to expound before I try to close this off?

Mr. Commissioner: Well, I have nothing in particular, Mr. Chairman. The only thing that I have to say and I think I simply express what everyone around the table here feels... is that you are once again faced with making up your mind as to whether or not you are going to make a further hasty amendment to the Liquor Ordinance and whether it is the right thing to do at this time or not. I think this is the question that we are faced with Mr. Chairman, and I say this to you that whatever Council's wishes are that I will do my best to give effect to them. I can do no more.

Mr. MacKinnon: Mr. Chairman, I would like to ask Mr. Shaw if the remarks that I had made in regard to the Liquor Ordinance have been enlightening to him and also to Mr. Boyd. And seeing that they did make these Ordinances, does he not fully understand the Ordinance as it was written?

Mr. Chairman: Gentlemen, I wish you could restrict your questions to those pertinent to the matter at hand.

Mr. MacKinnon: Well, Mr. Chairman, I think this very well concerns the existing problem. I think it is a misunderstanding of the criminations.

Mr. Shaw: I would like to reply Mr. Chairman. I would ask Mr. MacKinnon why he asked me that question.

Mr. MacKinnon: Well, Mr. Chairman, it is very simply because by the look on the Honourable Member's face, I didn't think that he did understand the Ordinance.

Mr. Shaw: Mr. Chairman, I didn't understand the stupidity of some people of what they go through to make a buck. This was supposed to upgrade these places and in some instances it has and in most instances it hasn't. For example, when someone comes in on a Sunday and orders a sandwich and it beats me that they pretty soon will be getting rubber sandwiches so they can wash them off and put them back again. It will be cheaper that way. And serve a dozen beer....was certainly not what I envisioned when this law was passed by any means. However, this law has got to that stage and it is very unfortunate that it has. But those are the facts and when we pass laws we review them (continued next page)

Mr. Shaw continues... MOTION #21

with the best of intentions to make as nice a living for the people as we can. But it doesn't always work out that way. Ninety five percent of the people will obey the laws as they are written. It's the five percent that will give you the bad time. And if that will answer the question, this is about the best that I can do at the present moment. All I can say is that it was done with the very best of intentions and it is unfortunate that it is not working out the way it should any more than the present proposal is working out according to the most idealistic manner in which it is produced in the first instance.

Mr. MacKinnon: Well, Mr. Chairman, I would like to thank the honourable member for admitting he did not understand the interpretation of the ordinance.

Mr. Chairman: Well, gentlemen, I think at this point I will put an end to this discussion. If we could carry on with the business at hand and keep personalities out of this, gentlemen, it would be most appreciated by the Chair. Now, have you anything further before I put the question on Motion #21.

Mr. Thompson: Mr. Chairman, I would just like to mention that in the Sessional Paper, the second of the last paragraph it states administration would like Council to define its views of the niche to be occupied by dining lounges in the scheme of licencing of this in the Yukon. Well, it would seem that there is a possibility that there should be a legislation to cover this aspect. The fact that members are not in agreement with the wording as such I defy anybody to come back with this change and get any better approach. But, I think if Administration should be aware or made aware of the feelings anyway of what should be and what should be in a proposed amendment, and I think this covers it quite adequately with the exception of the fact that it is the wrong day of the week and it is not meant to be. Another item in the sessional paper says at what point in the development, and we were referring to dining lounges, should they become cocktail lounges. Well, I don't think they should become cocktail lounges period. And should they have the right to sell hard liquor? I say yes, because of this Motion that we have prepared here. What standards of table service would the Council look for? It is laid out in regulations and it is spelled out. I think they have got their answer there. Perhaps these questions could be left with the liquor commission. Well, we have been leaving questions for the liquor commission for four years and at the present rate if it continues, it will be 1972 before this gets off the ground. So, I can't see any point in this. So, I think from the discussion and the arguments that have gone around the Table this afternoon the administration probably haven't any more idea of what they are going to do than what they had when they started.

Mr. MacKinnon: Well, Mr. Chairman, may I rise once again to remind Mr. Thompson that the Motion is out of order and that Subsection 2 of Section 12(f) that the Territorial Council does not possess these powers and this is fairly defined in Section 4 of the Yukon Act. And therefore we could not proceed with the thinking behind this particular motion and as I said before, the motion has got a lot of merit and I would not like to see it killed in Committee. I would

MOTION #21 Mr. MacKinnon continues...

like to see the mover of the motion withdraw the motion at this time and the seconder of the motion withdraw the motion. And we resubmit something to the--something suitable to accommodate these hotels, places or dining lounges. They have gone to considerable expense and I feel are entitled to the licences. For instance where it says dining lounge, I believe it should say hotel dining lounge and instead of Territorial Council it should be Commissioner and Council. And but this is a long drawn out affair and I think it is a very dangerous one to give approval to at this time. And as Mr. Boyd stated before that this is more of a private members bill. Than it is motion. You could hardly classify this as a motion. And, I think if you go back through your rules and it is with shame that you will find this type of document should not be presented as a motion. It is a private members bill and therefore having it in front of us and if the mover and the seconder does not see fit to withdraw at this time so we can present some workable solution for the basic intent of this document then I will have to vote against the document.

Mr. Watt: Speaking for the heavilyest populated constituency in the Yukon Territory before Mr. Boyd cuts us off here, I would like to say that by passing the motion I think it would offer direction to the administration to draft legislation to present to Council and I think the Motion has quite a bit of merit. Now there are two things I would like to comment on and one thing I would like -- this particular dining lounge licence to be restricted to those dining rooms that are of a real high standard. A very high standard. They would have to be to meet--in order to qualify for these licences. And I think something should be stipulated a little more clearly in the regulations so far as the ordinance is concerned. As to what these standards would be. I don't know quite how to put this. I think the Legal Advisor and the Commissioner know what I mean. And I think Mr. Legal Advisor could work it into an ordinance somehow. I notice that he nodded his approval there. And I wouldn't want to see the dining lounge licences become merely a way of getting a liquor outlet without providing the values that are normally required. And I think the requirements should be stipulated in the ordinance as any other ordinance with respect to the gross sales, when they receive gross sales of liquor to exceed the gross sales of the food. And the success of dining lounges are going to depend largely upon hours free. The liquor inspector is going to have a lot to do with this and the inspection of the premises and how they are operating is going to have a lot to do with the success or failure. Or if Council's intentions with respect to a dining lounge licence are overcome by rounds and we are merely adding addition liquor outlets in the Territory.

Mr. Chairman: Well, gentlemen, what is your pleasure in relation to this Motion?

Mr. Southam: Question on the Motion.

Mr. Chairman: Question has been called. Those agreed to the Motion please signify. Would those contrary please signify. Would those agreed please signify again. Would those contrary please signify. Well, gentlemen, I must declare the Motion defeated.

MOTION DEFEATED

MOTION DEFEATED

Mr. Chairman: Well, gentlemen, I would like to refer your attention to Sessional Paper #109 in which it asks a question in respect of dining lounges, and the scheme of licenced outlets in the Yukon. Do you have anything further on this.

SESSIONAL PAPER #109

Mr. Boyd: I have nothing further on this.

Mr. Chairman: What is your wish in this respect.

Mr. Boyd: I simply state speaking for myself there is a place for this that is properly organized. The constitution-- the ordinances is set to take care of it. We have a liquor committee to see that it functions properly, then I see no reason in the world why we should have one.

Mr. Commissioner: Mr. Chairman, may I ask a question at this point. Now do I understand it Mr. Chairman, that Council wish to see us with either a new or a revision to the liquor ordinance that would basically encompass the functions of the liquor commission. ..several alternative methods of function of a liquor commission and sccondly that the question concerning the extraction of DPW liquor act is that they are defined here in the third paragraph on Page 2 that they are to be dealt with in view of Councillor Boyd's motion.

Mr. Chairman: Well, we have two motions Mr. Chairman. The first item was moved by Councillor Shaw and seconded by Councillor Watt that Session recommendations for the formation of a liquor control board, together with terms of reference, and draft legislation, to put this into effect in line with the Yukon Liquor Committee Report. This Motion was carried. In respect to the second item, it was moved by Councillor Boyd and seconded by Councillor Southam that Item #2 be deferred to the fall session taking into consideration discussions as noted in Votes and Proceedings. This Motion was also carried. Now, in Item #3...

Mr. Commissioner: Now, you are going to give us guidance with regard to the dining lounges.

Mr. Chairman: This is correct.

Mr. Commissioner: Thank you very much.

Mr. Chairman: What is your feeling in regard to this dining lounge, gentlemen?

Mr. Shaw: Well, my feeling Mr. Chairman, is that dining lounge could be quite desirable. There is just one thing that bothers me, and that is in order to have a liquor cocktail licence...here you are having the same thing food and liquor or whichever you put forth first. Therefore it would be unfair to the present operator of the hotels if you didn't have this dining licence or any whatever you call it licence in the same category with the same terms and conditions. That's all I feel in that. It would be unfair to the present operator. And if you had the same situation I am not opposed to it.

Mr. MacKinnon: Mr. Chairman, I thought I had made my point quite clear but I will gladly make it over again. I am in complete concurrence with what Mr. Shaw has just said.

Mr. Chairman: Gentlemen, what I am looking for here is the direction of Committee and direction in that area ... or does the Commissioner feel he has enough direction now to know what the feelings of Council are. In other words gentlemen what we are looking for is a motion in respect of this.

Mr. Commissioner: I would respectfully ask for a motion Mr. Chairman because remember that as a Council I will be dealing with another Council here in the fall and it will be much simpler if we had a guidepost to say that this is why we have brought forth this thing.

Mr. Boyd: Well, I will make a Motion concerning this--what do you call it here, this Item #3 that administration present to the next Council at their first session an amendment to the liquor ordinance which would authorize the functions of the dining lounge.

Mr. MacKinnon: Mr. Chairman, just what is Mr. Boyd doing now. He just finished voting on Motion #21 saying no. And now he is making a Motion to say yes. Was he aware of what he voted on a couple of minutes ago and we are trying to make a point Mr. Boyd. A stipulation saying that this should come under the existing regulations, hotel regulations that now exists. And getting away from the dining lounge which will give priority to people without room accommodation which we so strongly in another section of the ordinance insist on. And, Mr. Boyd you just voted contrary to what you are now moving as a Motion.

Mr. Chairman: Well, gentlemen, is there a seconder to Mr. Boyd's motion? If there is no seconder there is no Motion. Would you now proceed gentlemen.

Mr. Watt: I would like to ask the Commissioner if there is not sufficient direction with respect to that particular item right now, we have already had a motion. We have all talked about it and it was--the vote was called and we were divided and, but, the fact remains the majority didn't agree with the ordinance with respect to dining lounges. I--any other motion with respect to dining lounges would have to be out of order.

Mr. Commissioner: We willuse the votes and proceedings, gentlemen.

Mr. Boyd: Mr. Chairman, the reason this motion didn't pass is because of the wording of it. And, the mover and the seconder had a chance to withdraw it. They didn't wish to do so and you can't vote on something that is not worded properly. And this is why that motion was defeated.

Mr. Thompson: Mr. Chairman, you had the opportunity to amend it if you wanted to and nobody seemed willing to make the amendment as pointed out before the Administration were going to bring in certain recommendations for changes in the liquor ordinance and that's why they didn't and that's why that motion turned up the way it did.

Mr. Boyd: Well, alright, there is a man at this table this is capable of amending it. It has taken us all afternoon to talk about it. And to get an amendment through this seven men would be an endless chore. I assure you because you would run into one thing after another and it is not proper

Mr. Boyd continues... SESSIONAL PAPER #109

to make a deal of this kind on the spur of the moment. And I can tell you further that I have waited months and as much as a year to get service. And what I wanted was very particular to me, but because it didn't suit somebody else to move because I was in a hurry they had to have lots of time to think about it. I am taking the same kind of time as far as I am concerned. Nothing is going to catch on fire from now to the fall session and I stand on that.

Mr. Shaw: Well, Mr. Chairman, I have a motion here, I will put it out for size. I will move that consideration be considered by the administration to the introduction of dining lounges in the fall session of 1967 which will have the same conditions for public room facilities that presently exist in order to obtain a cocktail licence. MOTION RE INTRODUCTION DINING LOUNGES IN FALL SESSION 1967

Mr. MacKinnon: Agreed. I will second that Motion Mr. Chairman.

Mr. Shaw: Well, it has been moved by Councillor Shaw and seconded by Councillor MacKinnon--could I have the copy of that Motion please? It has been moved by Councillor Shaw and seconded by Councillor MacKinnon that considerations be considered by the administration to the introduction of dining lounges in the fall session of 1967. It will have the same conditions of public room facilities as presently exists in order to obtain a cocktail licence. Are you prepared for the question? Are you agreed to the Motion? Are there any contrary? I will declare the Motion carried. MOTION CARRIED

MOTION CARRIED

Mr. Chairman: Well, gentlemen what is your further pleasure.

Mr. Thompson: I would like a clarification on that Motion for one thing.

Mr. Commissioner: Could I asked to be excused at this time?

Mr. Chairman: Could Mr. Commissioner be excused?

All: Agreed

Mr. Commissioner: Thank you very much gentlemen. See you in the morning.

Mr. Thompson: I would move the Speaker do now resume the Chair and hear the Report of the Chairman of Committees. MOTION RE SPEAKER RESUME CHAIR

Mr. Watt: I will second that Motion.

Mr. Chairman: It has been moved by Councillor Thompson and seconded by Councillor Watt that Mr. Speaker do now resume the Chair and hear the Report of the Chairman of Committees. Are you prepared for the question? Are you agreed? Are there any contrary? I will declare the Motion carried. MOTION CARRIED

MOTION CARRIED

Mr. Speaker: Thank you Mr. Chairman. I will call this Committee to order and hear the Report of the Chairman of Committees.

REPORT OF CHAIRMAN OF COMMITTEES

Mr. Taylor: Mr. Speaker, Committee convened at 10:10 a.m. to discuss Bills, Memoranda, Sessional Papers and Motions. Mr. Commissioner attended Committee to discuss Sessional Papers. It was moved by Councillor Shaw and seconded by Councillor Watt that the administration bring before Council at the fall session recommendations for the formation of a liquor control board together with terms of reference and draft legislation to put this into effect in line with the Yukon Liquor Committee report. This Motion carried. Committee recessed at 12:00 noon and reconvened at 2:00 p.m. this afternoon. Mr. Keating and Mr. Commissioner attended Committee. It was moved by Councillor Boyd and seconded by Councillor Southam that Item 2 be deferred to the fall session taking into consideration discussions as noted in Votes and Proceedings. This Motion carried. Motion #21 was defeated in Committee. It was moved by Councillor Shaw and seconded by Councillor Mackinnon that considerations be considered by the administration to the introduction of dining lounges in the fall session of 1967. It will have the same conditions of public room facilities as presently exists in order to obtain a cocktail licence. And this Motion carried. It was moved by Councillor Thompson and seconded by Councillor Watt that Mr. Speaker do now resume the chair and this Motion carried.

Mr. Speaker: Well, gentlemen, you have heard the reading of the Report of the Chairman of Committees. Are you agreed with the report?

All: Agreed

Mr. Speaker: Thank you. What is your pleasure at this time? Tomorrow, we continue with Bills, Memoranda, Sessional Papers and Motions on the agenda. Is that agreeable?

All: Agreed.

Mr. Boyd: I move that we call it five o'clock Mr. Speaker.

Mr. Southam: I will second the Motion Mr. Speaker.

MOTION CARRIED

Mr. Speaker: It has been moved by Councillor Boyd and seconded by Councillor Southam that we call it five o'clock at this time. Are you ready for the question? Are you agreed to the Motion? Are there any contrary? The Motion is carried and this Council now stands adjourned until tomorrow morning at 10:00 o'clock.

MOTION CARRIED

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

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. Have you any correspondence, Mr. Clerk?

SESSIONAL PAPERS

Mr. Clerk: Yes, Mr. Speaker. We have Sessional Paper No. 112, a letter from Mr. Couture regarding the Yukon Tartan; Sessional Paper No. 113, an answer to two questions asked on April 25th concerning Manpower and U.I.C. and Sessional Paper No. 114, Symbolic Presentation of Centennial Medallions. That's all I have this morning, Mr. Speaker. #112 #113 #114

Mr. Speaker: Thank you, Mr. Clerk. Have we any other correspondence? Have we any Reports of Committees? If not, we will proceed to the next item. I note that we have a Bill for introduction. What is your pleasure?

BILL #17 INTRODUCED

Moved by Councillor Boyd, seconded by Councillor Southam, that Bill No. 17, An Ordinance to Amend the Insurance Ordinance, be introduced at this time.

MOTION CARRIED

MOTION CARRIED

Mr. Speaker: Have we any Notices of Motion and Resolution?

Mr. MacKinnon enters the Council Chambers.

NOTICES OF MOTION

Mr. Watt: Mr. Speaker, I beg leave to give Notice of Motion re Revision of Consolidated Ordinances. #31

Mr. Speaker: Thank you, Mr. Watt. Have we any further Notices of Motion?

Mr. Watt: Yes, Mr. Speaker. I beg leave to give Notice of Motion re inclusion of Justice in our Estimates. #32

Mr. Speaker: Have we any further Notices of Motion?

Mr. Watt: Mr. Speaker, I beg leave to give Notice of Motion re Escarpment Stabilization. #33

Mr. Speaker: Thank you, Mr. Watt. You will be taking up that Motion you have here I presume today because three are you are allowed to have on the Paper.

Mr. Watt: Yes.

Mr. Speaker: Have we any further Notices of Motion?

Mr. MacKinnon: Mr. Speaker, I beg leave to give Notice of Motion re Low Cost Housing. #34

Mr. Speaker: Have we any further Notices of Motion? If not, we will proceed to Orders of the Day. Have we any Notices of Motion for the Production of Papers. We have no Motions for the Production of Papers so we will continue to Motions. No. 29, Mr. Watt.

MOTION #29

Mr. Watt: Moved by Mr. Watt, seconded by Mr. Boyd, re Tenders - Sewer and Water, Lot 19. "It is the opinion of Council that the Administration immediately call tenders for the installation of water and sewage in Lot 19, and furthermore to immediately confirm sales of the lots in Lot 19 so that the successful applicants can firm up summer construction plans." May I proceed, Mr. Speaker?

Mr. Speaker: Proceed, Mr. Watt.

Mr. Watt: I had this Motion deferred because the Seconder was away and since that time, I notice that tenders have been called in the local newspaper for Lot 19 but the second part of the Motion....the first part is redundant so I won't waste any time discussing that...but the second part of the Motion, I think, is important, and therefore it should stand... "furthermore to immediately confirm sales of the lots in Lot 19 so that the successful applicants can firm up summer construction plans." Well, Mr. Speaker, what this means is that I would like to have Council's approval to assist and direct the Administration to accept money from those who have been the successful bidders on this Lot 19. A lot of those people that have been successful and have their applications in want to give the Territorial Government some money so that they know they are going to get this land and so that they can therefore give the description of the land in their application to Central Mortgage and Housing. We do not have a Central Mortgage and Housing office here right now and those who are trying to firm up their plans for the summer are writing to Prince George and they have to give a description of the lot and they have to know that they can get this lot. Therefore, I think that it would be...these people that are attempting to do this, they are phoning the Administration and asking when this can be confirmed and the answer that is being given is that it is being held up because of the Territorial Council. I didn't realize until I put this Motion in...a week ago now....April 28th...that we were responsible for this. I doubt if we are but...I don't feel as if we are but I want to clear anything out of the way... any obstacles that we may be putting in the way of this and this is why I would like to see this Motion stand so that it in effect gives Administration the go ahead to go and accept a deposit on the lot, or the full price, or whatever they want to do so that any way they can go ahead and confirm the sale of these lots. I think it is very important that this be done now. I think that any obstacles that are in the way are of a minor kind which shouldn't be in the way. With the length of time it takes to firm up the Central Mortgage and Housing Loans right now, it is important for these people if they are going to build this summer to be able to start on their plans now and their firming up of construction tenders or whatever they want to do.

Mr. Speaker: Any further discussion on Motion No. 29?

Mr. Taylor: Well, Mr. Speaker, before I take a vote on this, I would like to know why and I would like to...possibly one Member of the Administration here could tell me why...that the Territorial Council are responsible for this. If this be the case, I think it is something that we should know about. Whether it is just something in the Budget....maybe we don't know what the sewer system is going to cost until we have it tendered or whether this relates to the cost of the lots I don't know. I want information on this before I agree with it.

Mr. MacKinnon: Well, Mr. Speaker, it looks very good to me and I would like to hear the Seconder's side of the story at this time. Anything I can do to help the City of Whitehorse...you know I am always willing to bend over backwards and I would like to hear from the Seconder of the Motion. MOTION #29

Mr. Boyd: Mr. Chairman, Councillor Taylor has a valid point and I would like to suggest that this Motion be transferred or dealt with in Committee and questions could be asked then.

Mr. Watt: Mr. Speaker, I object to this going to Committee for the simple reason that we have already heard from Mr. Taylor and he is attempting to obstruct this Motion as he does with every Motion that I make.

Mr. Taylor: Question of privilege, Mr. Speaker. I have intimated nothing.

Mr. Speaker: Order, please. You have a question of privilege. What is your question?

Mr. Watt: Mr. Speaker, and....

Mr. Speaker: Mr. Watt, a question of privilege has priority. Mr. Taylor.

Mr. Taylor: Mr. Speaker, my question of privilege is that at no time did I impute anything and I don't feel that the Member should impute my motives. I am merely asking for information. I am not trying to obstruct.

Mr. Watt: Mr. Speaker, I object to this going to Committee because I believe it is a deliberate attempt to obstruct. This is my opinion, Mr. Speaker, my honest opinion and I have got reasonable grounds for this. This is a simple Motion. It is asking for a little co-operation of Council and to help some people that are trying to build homes here and when we are in Committee, we in effect have very few rules and it has got to the situation where every time I make a suggestion, one individual gets up and it is a continual rebuttal on everything I do and everything I say. I think we have far more order in Council of the Whole and this is why I think we can accomplish a lot more, a lot simpler by having this done in Council right now. There is nothing complicated about it. It is a simple Motion in order to ask the Administration to confirm the sale of these lots and if Mr. Taylor wants to argue about the price of these lots and all this stuff, which he intimated in his suggestion that he wants to go to Committee, I am not asking that we argue about the price of the lots. I am just asking that this Motion be passed and asking that...simply asking that the sale of these lots be confirmed. I am not dickering about the price, or dickering about the sewer contract, or the roads, or time, or anything else. I am just asking that the Council go along with the suggestion that we are not obstructing in any way the confirmation of the sale of these lots. It's very simple, Mr. Speaker. If the Council wish to co-operate in this to help some people out that are trying to prepare housing for themselves, which I think is necessary, then I think that we can easily do this but if you want to continue to drag this on and obstruct, then it's up to Council to decide. I would like to ask that the question be called on the Motion.

Mr. Speaker: Mr. Watt, Mr. Taylor asked for information. I don't think he asked to obstruct it. He asked if he could get some information. That's all I recollect him asking... not to obstruct.

Mr. Watt: I would like to call for question on the Motion, Mr. Speaker.

Mr. Speaker: Fine. We'll call the question.

MOTION #29 CARRIED

MOTION CARRIED

Mr. Watt: Mr. Speaker, I just heard two contrary and two against. Could we have a show of hands.

Councillors Watt, MacKinnon and Boyd voted for the Motion. Councillors Taylor and Southam voted contrary. Councillor Thompson abstained.

MOTION #30 DEFERRED

Mr. Speaker: We next have Motion No. 30, Mr. MacKinnon, Motor Vehicle Ordinance. Mr. MacKinnon.

Mr. MacKinnon: Mr. Speaker, I would ask the good graces of Council to defer this Motion, possibly until tomorrow morning in view of the fact that my papers seem to have got away from me.

Mr. Speaker: That is quite permissible, Mr. MacKinnon. I see your secretary hasn't been keeping up with her duties.

Mr. MacKinnon: You're right, Mr. Speaker. Thank you.

Mr. Speaker: Have we any questions this morning from the Commissioner or other kinds of course. I would be pleased to inquire as to the Commissioner being here.

Mr. Taylor: Mr. Speaker, I have a question I would very much like to direct to the Commissioner.

Mr. Speaker: At this time, we will call a short recess. Mr. Clerk, would you please ascertain if it is possible to get the Commissioner here in a few minutes.

Mr. Commissioner enters the Council Chambers.

Mr. Speaker: I will now call this Council to order and we will proceed with the questions.

QUESTION RE SALE OF LOTS IN LOT 19

Mr. Taylor: Mr. Speaker, I have a question I would like to direct to Mr. Commissioner this morning. It has to do with the lot sales in Lot 19 and in discussion of a Motion in respect of this this morning it was pointed out that the Territorial Administration are more or less telling these people who are trying to buy land in Lot 19 that the reason they cannot is because....the Territorial Council is holding the thing up. I wonder if the Commissioner could tell me in what manner we are holding the lot sales in Lot 19 up?

Mr. Commissioner: You will have to give me an opportunity to find out the answer to this because quite frankly I can't answer it right off hand, Mr. Speaker. I wouldn't even attempt to. I understand that there are money problems involved but as to just exactly where the matter stands...I will get this information promptly and get an answer to Council.

Mr. Speaker: Thank you, Mr. Commissioner.

Mr. Taylor: I would be most appreciative if I could get that answer, Mr. Speaker.

Mr. Speaker: Have we any further questions?

Mr. Taylor: Yes, Mr. Speaker, I have another question this morning which I would direct to Mr. Commissioner. In light of two statements made in the Yukon Daily News of yesterday's edition, one by a Mr. Chief Elijah Smith of the Whitehorse Indian Band who expresses concern about the probation service and another letter appearing over the signature of a Mr. John P. Hoyt, a former Yukon Probations Officer. I would ask, in relation to these two, are the Administration now making a review of their position in relation to the putting of probations back into Corrections?

QUESTION RE PROBATIONS

Mr. Commissioner: Well, Mr. Speaker, I think I answered that question very fully the other day, and that is that I have no firm or fixed ideas concerning the move that we have made with regard tothe total Corrections Program. I have been faced with the problem of getting this very costly program underway and in order to do so, I think I explained very clearly to Council, that we have tried to split the situation down into workable, from an administration point of view, units and that is that we have taken the physical plants...the medium security institution and the minimum security institution,and are working very hard at recruiting staff and training them to get these two physical plants into operation. I think that I have reported progress in this matter to Council....that we have been able to secure sufficient staff, recruiting them at the local level. Their training program is very close to being completed and at the present time I do believe that outside of some loose ends in connection with clothing for the inmates, the continuing services of medical inspection of the inmates, and I believe the question of regulations concerning the operation of the institution, the medium security institution is ready to roll. When I say ready to roll, I don't mean that it is ready to roll this afternoon. I am suggesting that possibly ten days or so from now it should be underway. If we were going to involve all the people who are physically involved in that....we have taken them away....you may say that we have taken the Corrections Program....took all these people out. With regard to the Probations Service as I explained to Council the other day, I found that these people...in fact, the Chief Probations Officer had been put in charge of the total Corrections Program...the man was there on a temporary or an acting basis and he was a Probations Officer and I found that the functions of these Probations people were to be as an arm of the Court....in other words, as part of the Corrections Program...they were part of the total program but they had nothing to do with the physical plants that were involved. I think I also explained to Council that my move of putting them, for the time being, under the wing of the Welfare Department was to permit us the use, at least for the time being, of the Welfare Officers in the outlying areas so that we could get probations work out of them and likewise to retain the nucleus of the Probations system so that when we are able to once again combine the whole Corrections Program...put them under one head...that we will be able to do so and I think I made it very clear to Council, Mr. Speaker, that I have no fixed ideas in connection with this. I am simply doing the very best that I can under the circumstances to try to give effect to these programs in as economical and efficient a manner.....I will make it very clear that all these things...all these programs and all work of Territorial Administration....from my point of view, gentlemen, it is just the same as legislation. It is under constant and continuing review to see whether or not what we have done in the past is right so that we can profit by our mistakes and

QUESTION RE PROBATIONS

Mr. Commissioner continues:
improve in the future. This applies to the Probations Section, physical plants that we have on the Corrections Program, and all other aspects of Territorial affairs.

Mr. Taylor: I have a supplementary question, Mr. Speaker. In view of the fact that...my understanding is that the case load that these two people instead of four have to handle now is about 100 at the present time. Is it intended or has it been considered by the Administration that further Probations Officers would be added to assist the two that already function in the Yukon? Has any thought been given in this line?

Mr. Commissioner: Mr. Speaker, there is no use of me misleading Council in this matter. Right at the moment, I am not aware of the fact that they have a case load of 100. This must be a very recent change of events. I don't doubt the statement that the Councillor has made at all, Mr. Speaker. I simply tell you that I am personally not aware that their case load is this heavy and certainly, if the case load is this heavy, it would surprise me if I am not getting requests and recommendations in connection.....of the people involved and if the case load is there, Mr. Speaker, we have got to have the people to handle it or we are simply not doing the job that we set out to do in this matter.

Mr. Taylor: Thank you, Mr. Speaker.

Mr. Speaker: Are there any further questions?

Mr. Commissioner: Mr. Speaker, would I be able to answer verbally later on in the day the first question that was asked this morning? Would that be permissible?

Mr. Speaker: What question was that, Mr. Commissioner?

Mr. Commissioner: In connection with Lot 19.

Mr. Speaker: By all means, yes. As soon as you get the advice, I am sure that Council would be pleased to hear it.

Mr. Commissioner: Thank you.

Mr. Speaker: Are there any further questions.

Mr. MacKinnon: Yes, Mr. Speaker. I am wondering if the Commissioner has got to Question No. 5? I note it is not in the Papers this morning....or at least I haven't seen it...the Catholic Episcopal Corporation, re Education. I imagine the Commissioner has read the question at this time and maybe he could give us a verbal answer as to what his thoughts are in regards to this. It would save all this paper work.

Mr. Commissioner: I can answer the question. Mind you, there is a paper coming to Council answering this, Mr. Speaker, but if Council want a verbal answer, I am quite prepared to....

Mr. Speaker: Whichever you please. If you wish to answer it verbally, you can. If not, if the paper is coming, I think it will be quite in order.

Mr. Commissioner: The paper is coming, Mr. Speaker. I am sorry it hasn't got here but to be very honest about it, we are just finding that the work load these days are just increasing by the day but there is definitely a paper coming on this matter and I would be very happy to provide the answer for Council.

Mr. MacKinnon: I might mention at this time, Mr. Speaker... I am wondering just how we are making out with the hay disposal at 1019. Can we expect a Paper at this Session?

QUESTION RE DISPOSAL OF HAY AT 1019

Mr. Commissioner: There was a letter that came in yesterday from one of the Assistants to the Minister of Agriculture of the Federal Government advising us that we can expect an answer very promptly from the Minister of Agriculture in this regard. While I am on my feet, may I say something?

Mr. Speaker: Proceed.

Mr. Commissioner: There was a question...I don't quite recollect if it was raised around the Council table here or not but it was in connection with mail service in and out of Ross River. Was that question asked at the table, Mr. Speaker?

MAIL SERVICE ROSS RIVER

Mr. Taylor: No, it wasn't.

Mr. Commissioner: I would advise that the District Director of Postal Services is sending a field officer in later this month to particularly look into this matter of mail service in Ross River.

Mr. Thompson: I wonder if the Commissioner would also advise if this gentleman who is coming in from the Postal Service might be available for other localities who are endeavouring to upgrade their postal services at the same time.

Mr. Commissioner: It doesn't indicate in this latter to that...you know....particular question that the Councillor has raised but it would certainly seem peculiar to me if he wasn't able to look into other matters at that time and if the Councillor so wished, I would be very happy to send a letter to the District Director asking that this man look into the other mail problem that was raised around the Council table. I would be very pleased to communicate with him.

Mr. Thompson: Yes, Mr. Speaker, I would very much appreciate it if the Commissioner would do this on our behalf.

Mr. MacKinnon: Mr. Speaker, I would also like to ask the Commissioner if he has got around to looking into the policy of hiring for garbage removal in Territorial campground sites. I believe I asked the question quite some time ago.

QUESTION RE GARBAGE DISPOSAL CAMPGROUNDS

Mr. Commissioner: There is a written answer coming to Council on this matter and what I find is exactly what the Councillor told me I would find.

Mr. Speaker: Thank you. Have we any further questions?

QUESTION RE HIRING GOVT. EMPLOYEES

Mr. Taylor: I have one final question, Mr. Speaker, and it has reference to the hiring by the Territorial Government of employees for the the Territorial Government. Why is it required that when an employee is hired by the Territorial Government that not only must he give his birth certificate to...I imagine the person doing the hiring....but why is he also required to give the birth certificates of his children and, in fact, his marriage certificate as well to the Territorial Government.

Mr. Commissioner: Mr. Speaker, I would be subject to correction on this but to the very best of my knowledge, these requirements are as a consequence of the legislated pension plan on one instance and also to the Medical Services Plan that applies not only to the employee but to his dependents and these things....now, I don't know whether these things are legislated requirements on our behalf here. Perhaps Mr. Legal Advisor could answer this...or whether they are requirements conversely from the purveyors of the Medical Services Insurance and the Superannuation Insurance. I know...I can say in my own instance, the information I was asked to provide to the Federal Government was exactly the same. There were simple copies made of them and the documents were returned to me but to the very best of my knowledge and subject to any corrections by the Legal Advisor, this is the reason for these requirements and they are quite valid.

Mr. Speaker: Does that answer your question, Mr. Taylor?

Mr. Taylor: Yes, Mr. Speaker.

QUESTION RE INCREASE IN GAS

Mr. Watt: Mr. Speaker, this is with respect to....I understand there is a general gas increase throughout the Territory. I don't think it is in any way due to any kind of an increase in taxes at all. I know nothing has gone through Territorial Council at all but I have had quite a few people ask me about it. Are you aware of any additional taxes issued by the Territorial Government or the Federal Government on taxes that would account for any part of this increase?

Mr. Commissioner: Well, Mr. Speaker, after getting caught pretty flat footed on a liquor price increase, I think I had better look into this before I open my mouth, Mr. Speaker.

Mr. Speaker: It stated on the radio that this was an increase in cost factor. Anybody who can't understand that can't read or hear. Have we any further questions? If not, I would be prepared to accept a Motion to revert to Committee.

Moved by Councillor Boyd, seconded by Councillor MacKinnon, 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. Taylor will take the Chair in Committee of the Whole.

Mr. Taylor: Gentlemen, we will proceed with Sessional Papers this morning. I will now call a short recess.

Mr. MacKinnon leaves the Council Chambers.

SESSIONAL PAPER #110

Mr. Chairman: I will call Committee to order. The next Sessional Paper is Sessional Paper No. 110 respecting Fire Insurance (Reads Sessional Paper No. 110). Appended to this

Mr. Chairman continues: SESSIONAL PAPER #110
is a copy of the Sessional Paper dealing with this matter in 1965. Would you proceed.

Mr. Shaw: Mr. Chairman, that was not what I would consider an investigation at all. These high priced men from the Insurance Companies met with the Commissioner in his office and pointed out what a hard time they were having. I suppose that everyone connected with it had tears in their eyes and everyone felt sorry for everybody else and there were "Thanks very much" and they went home and said that they would prepare a report at a later date. Of course, the Report we find is confidential so that information couldn't be given and that was not what I consider an investigation at all, however, that is what we got. I am very disappointed in it. Another thing, as I mentioned, at this present time the Territorial Government have been successful in getting back their insurance money and that would no doubt reflect tremendously on the balance of the Territory. The Government has had about a half a million dollars worth of fires so I suppose that an investigation at this time would no doubt show a loss. There are a number of things that I think enter into this factor and that is the amount of Territory which is covered by the Yukon rates. Is it just the Yukon or does it take into consideration a large part of British Columbia...the more or less under developed parts we might say that would have greater losses? It is something that you just don't talk over and table for half an hour without having quite a number of facts and figures and having people that understand those facts and figures to analyze what is coming out so that this investigation was no more investigation than.. it is as far away from one as it could be as far as I can see. It couldn't serve the purpose.

Mr. Southam takes the Chair.

Mr. Taylor: Mr. Chairman, I think there is a question relating to this in Auto Insurance but again I say...I think the Territorial Government or someone should...if we can't get this information...is to have them charged....these various Insurance Companies...under the Combines Investigation Act of Canada. This Act was put up to stop price fixing and I think many Members will recall throughout the Bakery Industry in Canada several years ago, there was a great furore about the price of bread which was a daily staple sort of a thing being fixed and in due time the Companies were charged under the Combines Investigation Act and things ceased to be confidential any more and I believe that some convictions were registered. It seems to me that we go on year after year after year facing these excessive...very, very excessive insurance costs and it seems to me very odd that we as a Government, which I think is a little more important than possibly a Corporation...when we as a Government are told by our Insurance Agent that this information is confidential and confidential even to the Government, well, the only other alternative that we have is to charge these companies. It is having a tremendous effect on our economy here in the Yukon. I have a case of a hotel in my district...in Watson Lake... well, I have a case of two hotels actually that have brought to my attention and one has told me that, of course, again, that there is a 25% surcharge on fire insurance in the Yukon Territory and if they had this hotel down in Lower Post, in

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Mr. Taylor continues:
British Columbia, a mere few miles away, they would pay half what they...approximately half of what they pay for fire insurance in Watson Lake in the Yukon and the upshot of it now is that nobody now is able to fully insure their building and if you wish to insure a half a million dollar hotel...you couldn't insure it for more than half its value, say $250,000.00, at the going rate. I feel that is is important enough that something should be launched here and if our Insurance Agent will not give us the information than, as I say, I strongly recommend some very severe and strong action be taken. It's the only way I can see to force the issue is to have them charged. I wonder if...I don't see Mr. Legal Advisor with us at the moment, but I wonder Mr. Commissioner what your thoughts would be in relation to the digging up of this information and if you would feel there would be any value in the approach I suggest.

Mr. Commissioner: Mr. Chairman, I cannot help but feel that fire insurance in an area such as this is literally speaking in the field of a public utility. It is a necessary thing. In other words, just what individual, no matter how small his holdings may be, can afford to be without fire insurance because except for a few areas in the Territory it is a fact that we do not have first class fire protection and it is highly unlikely that we are going to have first class fire protection in many communities due to their size for a long time to come. As a consequence, the necessity of an individual keeping himself and his belonging and his home as well insured as possible if a very real fact of life and I am in no position to say whether or not in fact the insurance rates that are being charged here are right or proper because I simply do not have that information, nor apparently does anyone else have it, or does it appear that those who do have it are about to part with this. I think what we should be doing here, gentlemen, is let's get a hard look... let's have a talk with the Legal Advisor to see how we would go about at least getting some factual information that would be of value in either possibly framing legislation or doing something to at least find out whether or not the insurance rates that are being charged in the area are realistic or whether they are seriously inflated or if in fact they are undercharged. Who knows. I am very sympathetic, Mr. Chairman, to Council's desires in this matter. I think it is a matter of very great public interest and I heartily endorse and support with every facility that I have available some proper investigation to see just whether or not in fact insurance rates are realistic.

Mr. Shaw: Mr. Chairman, that was the point that kind of got me. Naturally, when one asks for something like this, you don't have the facts...an investigation....it could be quite reasonable in view of the losses...it could be excessive or it could be any way but the investigation that was conducted was no investigation at all. It was a farce.... absolutely a farce and I wondered if the Administration could go further into this. In fact, I think I will let it go at this time, Mr. Chairman. I think I will propose a Motion tomorrow in relation to this subject. I am quite satisfied.

Mr. Taylor: Well, Mr. Chairman, I hope that the Motion would include the possibility of a charge being laid in relation to this under the Combines Investigation Act as I was going to propose a Motion to this effect tomorrow morning too.

Mr. Shaw: Mr. Chairman, my Motion will incorporate all that we require.

Mr. Chairman: Any further discussion, gentlemen? Are you clear on this Sessional Paper? (All: Clear.)

Mr. Taylor resumes the Chair.

Mr. Chairman: Gentlemen, you also have a matter for discussion in Committee of the Whole...a matter of Auto Insurance Claims. This may be a good time to deal with the matter. I will just declare a short recess.

ABSENT: Councillors Shaw, Thompson and Watt

Mr. Chairman: I will call Committee back to order and we have the matter of auto insurance claims. Councillor Boyd?

MOTION #24 RE AUTO INSURANCE

Mr. Boyd: Well I wish that the other Councillors were here in the first place because we will get halfway through a discussion on this and we'll find the Councillors coming back in and starting at the front end of the discussion again and wasting a lot of our time. Anyhow, I will proceed. We actually insist it is law that you shall carry automotive insurance and it is intended to protect the innocent. We insist on this.

ENTER COUNCILLOR THOMPSON

But when a guilty man, so to speak, cracks up somebody's car we wash our hands clean.

ENTER COUNCILLOR WATT

We assume no responsibility, but we do assume a responsibility in the first place by making an insurance a necessity. In a cracked up car in the instance that I am thinking of there is no means of bringing the man who done the damage into a position where his insurance becomes workable unless he is prepared to walk into an insurance office and say "I did it, this is my fault." That is not enough, he has to sign. Now if you don't elect to do this there's only one other way and that is for the innocent man to get him into court, hire a lawyer and go through the court. There are cases that are quite some months old that have never been attended to. By and large people cannot afford to take the other man to court so he goes scott free. What good is the insurance? None. There's a case now where a man has got about three of these on his record and his insurance company have never paid out any premium on the claim, they've never been asked to pay them. We have the same adjuster dealing with the same people and here we come to this monopolistic system, representing both insurance companies, from one side to the other, and his objective is to make as few settlements as possible - that's what he's paid for, so if he never gets these signatures he's happy. The insurance agent who takes your money by means of force because of our legislation, he don't care at all, he gives you no service. I went to one of these insurance agents two and a half months ago and I said to him "If I had an accident, would you know about it?" and he said "No". I said "Would you know whether an adjustment was made or not?" He said "No". I said "Would you know if there was an adjustment made that it was satisfactory to his customer?" His answer was "No". He knows nothing but you will get a notice from him to come in and pay your insurance and you can't work it. It's not workable.

ENTER COUNCILLOR SHAW

MOTION #24 I think it's about time the Territorial Government hired an adjuster that would work for the people and not the insurance companies. This is the only way I can see where the people can get justice; you can't expect them to go to court. I think the Territorial Government has got a responsibility. If they insist that we take out the insurance to protect others then the Territorial Government should insist that the insurance companies do their job for the monies they have received in premiums. They're not doing it, they're evading the issue. Another thing, we have something in our regulations that to me means we shall not take out any automotive insurance unless we take it out with a Whitehorse or Yukon insurance agent. He gives you no service, he takes your money and he laughs at you. Now for my money I would like to be able to go outside and get some insurance agent to insure me so that I would have somebody that did care a little bit instead of sitting here with a monopoly on the whole of the Yukon. It is really sad and I hope that Council will see fit to get a motion out of this Council that will put these insurance companies where they should be, pay their claims without having to take a man to court for something you have already paid for.

Mr. Shaw: I didn't know you couldn't get insurance from anyone you wanted to. Is that correct? It has to be just in the Yukon Territory? I would ask Mr. Boyd.

Mr. Boyd: I would ask Mr. Clerk to answer that, it comes in his department, or the Legal Adviser could answer it.

Mr. Legal Adviser: I think this must be a reference to the fact that if insurance policies are written then commissions have to be split with the local insurance agents, Mr. Chairman. I am just trying to find the particular section.

Mr. Boyd: It might help to speed things up Mr. Chairman if Mr. Herb Taylor could answer this; he is well up on it.

Mr. Legal Adviser: It is section 34, I thought it was 43: "No insurer shall undertake any contract of fire or automobile insurance upon real or personal property situate in the Territory or described in any contract situate in the Territory, except after the contract has been signed or countersigned by a licensed agent who is a resident of the Territory and who is to receive commission or some part thereof when the premium stipulated in the contract is paid. Where Subsection (1) is complied with nothing herein shall be construed to prevent any insurer from issuing policies of fire and automobile insurance at its principal or branch office or general agency covering any matter or thing, real or personal, situate in the Territory." And then it goes on to procedural details. That is Section 34 of the Insurance Ordinance and that is the one I feel the Councillor is referring to.

Mr. Shaw: Well Mr. Chairman, that surprises me. I just can't understand what the reason is for having that particular clause in this particular section. Why is it necessary to be forced to go to any one group. I wonder if anybody can answer me that question?

Mr. Boyd: Well Mr. Chairman I think it is a means of keeping the insurance premiums in the Yukon for one thing, rather than for people doing business outside the Yukon. I think that was how it got in there in the first place really. MOTION #24

Mr. Chairman: Might I ask a question from the Chair of Mr. Legal Adviser? Is it intended in this amendment to the Insurance Ordinance to delete this section or alter it in any manner?

Mr. Legal Adviser: No Mr. Chairman, that doesn't deal with that portion of the Insurance Ordinance at all.

Mr. Shaw: In respect to that particular section now, I don't agree with that at all. However, I would like to know more facts about it before I could say that it should be thrown out. There may be a reason that I am not aware of, maybe a very valid reason, but on the other hand it looks to be somewhat of a protective type of legislation and I can't see any reason for it at the present moment.

Mr. Boyd: Mr. Chairman, I wonder if committee would agree to invite Herb Taylor up here. He know's why it's there and has dealt with it on many occasions and we could get a definite answer. It is his business.

Mr. Chairman: Is Committee agreed?

Committee: Agreed.

Mr. Chairman: Mr. Clerk would you see if Mr. Taylor would be available and I will declare a short recess.

RECESS

PRESENT: Mr. Herb Taylor, Territorial Secretary

Mr. Chairman: Gentlemen, I will call Committee back to order and we have with us Mr. Taylor to answer questions. Would you proceed with your questions?

Mr. Shaw: Mr. Chairman, why is it necessary to have section 34 in the Ordinance which gives protection to certain approved businessmen in the Yukon Territory?

Mr. Taylor: Well Mr. Chairman, I can't tell you just exactly why the section is there except in my opinion, and that is to protect the insured party; that is to make sure that there is someone here who can act for the insurance company, an agent who sells them the automobile or fire insurance. Other than that I can't tell you why that Section is there except that I do know it is in all insurances ordinances across Canada as far as I know.

Mr. Watt: I would like to ask Mr. Taylor if he knows of anything in our ordinance which says that a claim has to be satisfied by an insurance company within a certain length of time. Can they just drag this on for ever and never satisfy a claim or is there something to stipulate that they must satisfy this claim one way or another or go

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to a third party as a kind of a referee. Is there anything that says there is a time limit on how long an insurance company can drag a claim out?

Mr. Taylor: To my knowledge Mr. Chairman I couldn't say whether there is a section in there or not. I don't believe there is. Mr. Hughes may be able to answer that.

Mr. Legal Adviser: No, the ultimate remedy can only be sought by the aggrieved person. There is no time limit, in fact time goes against the person with a grievance under the limitations provisions that if they don't get a move on they may find eventually they have lost their right to claim against the other motorist. I just comment on the fact that while I can't find a direct counterpart of Section 34, you will find in the other jurisdictions that for people to act as insurance agents and so on in a province they have to have a licence so that a person has to be licensed in the provinces just as one has to be really here in the Yukon before you can sell insurance. So you will find these provincial bulwarks exist and that the reason for these, shall we call it, closed shops might be self-interest on the part of the insurance agent or it can be said to be also to protect the person living in the province who wants to take out insurance and then he is dealing with somebody who is there on the spot. There are two sides to the justification for this provision. All I can say is that is is found in one form or another in the different jurisdictions. May I suggest though that the type of case where the poor man has his car damaged and the other person callously refuses to pay or the insurance company refuses to pay is beginning to move into the field of a special tribunal away from referring these things to the courts as such. This dissatisfaction being expressed here today is not limited to the Yukon and it is not the direct result of a monopoly situation; it is found elsewhere in the provinces. There are many cases undoubtedly of aggrieved motorists who simply, unless they can go to considerable expense, cannot recover what they should recover from the other motorist or his insurance company. Possibly, and I go back to one of my pet subjects, an infusion of legal aid would go part way to meeting this problem. How to do it by legislation Mr. Chairman is a problem that is attracting the attention of other bodies across Canada and whether some specialized procedure will be involved I don't know. I can't suggest any form of wording to improve section 34 without having the whole of the motor vehicle insurance portion of the ordinance reviewed at the same time. You may disturb something or get everything out of whack, but the problem has been observed and we are trying to keep abreast of the thoughts that are emerging from the other provinces.

Mr. Watt: Mr. Chairman I would like to ask Mr. Hughes, is there any legislation in the Yukon Territory or any regulations with respect to setting up an unsatisfied claims fund or anything along that line or is any being drafted by the Administration at this time?

Mr. Legal Adviser: No, I am not aware of any; I certainly haven't received instructions.

Mr. Shaw: Mr. Chairman: it would appear to me that we have for example we have labour legislation. We have a man, in fact our worthy Registrar of Motor Vehicles also has another hat which brings him into the labour field to investigate complaints by the public. Now we have, to refer back to insurance, a law which makes it mandatory that you have insurance on your car - minimum public liability and property damage. Now I think it is a good thing that all people should have that but on the one hand we make a law forcing someone to do something but it appears that we don't make a law to counter-balance this particular matter insofar as to see that a person who is paying this money, which he is forced to pay by a legislation we have created, we have no means whereby we can see that he gets fairly treated if he has complaints; he has no recourse, no one to turn to, he's the one that gets stuck. It would appear to me that the big complaint is not so much the insurance agents at this time but with the matter of adjusting with reasonable expediency. I believe what we require is for the Registrar of Motor Vehicles to put on another hat and it would be his duty to see - one man in the office I think could attend to that possibly - that people have complaints, that they are unfairly treated, that this man takes it up and sees whether that's correct or not and then refers that to the Legal Adviser for further processing, and action if necessary. This may not be the correct procedure but in view of the fact that we force people to have insurance we should in all fairness give them protection to the extent that they can get their just rewards in the event of these particular accidents. MOTION #24

Mr. Legal Adviser: Mr. Chairman, we have in the Workmen's Compensation Ordinance I believe the basic procedure of a review board with a referee. Possibly something could emerge along those lines but you will have to give a right of appeal gainst any order made and of course you realize that you can't on the one hand deny the right of appeal because this is part of our pattern of justice; on the other hand the moment you give a right of appeal you hand half the battle to the insurance companies because they can stay in there and fight a lot longer than the small motorist. Now this is one of the problems that you have to bear in mind. No solution is going to be a perfect answer, so if you feel that where the Administration should look at the Workmen's Compensation provisions and see whether we can offer you a paper and recommendations and possibly some sort of drafting for the Fall or Spring session, we will certainly have a go at it. We realize there are problems; we would like to know just how well other areas are solving those problems.

Mr. Shaw: Mr. Chairman, the point that I am getting at is that this - from the discussions I have heard there is one person doing the adjusting and if he takes a dictatorial attitude of whether he will or he won't, there isn't an effort by these people to try and satisfy. They're quite willing to prolong it as long as they so wish and there should be some means that this person when he finally gets so frustrated he can't do anything else, he can go up to this gentleman, the employee of the Government, and say

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"Here are the facts, I have been waiting this long, will you get some action on this one way or the other." Litigation of course has to go to Court but at least there may be something to make this person attend to the job. It seems now that they do it or they don't do it, that it should be an obligation for the company to pay rather than an obligation for the feller to have to keep crowding the company.

Mr. Chairman: I have one question from the Chair to the Legal Adviser. In view of the fact that these insurance companies are Federally or nationally chartered, is it not possible that Section 34 of our insurance ordinance could be ultra vires?

Mr. Legal Adviser: No sir, there is no prohibition against the insurance company, it is a prohibition against the agent from writing the insurance business up. In other words you can deal with the man who is selling the insurance but you couldn't prohibit the insurance company, if he was in good standing in Ottawa, from doing business here.

Mr. Chairman: Well what I referred to, again from the Chair, it would indicate here that no one may sell in the Yukon unless they have an agent here or a branch office here or a general agency here and does this not deny them a right that has already been given them by Dominion charter? This is what I am getting at.

Mr. Legal Adviser: The seller is not the insurance company. That's my understanding of this. You see "no insurer shall undertake any contract" We're discussing the procedure under which the contract may be signed and so on. Now we cannot deny a Federal company the right to carry on business here but it must comply with the requirement to register as an extra-Territorial company. We have this right you see, except in the case of insurance companies. But this doesn't mean that our Companies Ordinance is ultra vires. We can't stop them coming in but we can compel them to register with us. This is quite a tricky bit of ground but it has emerged over the last six years.

Mr. Watt: Mr. Chairman, I would like to ask Mr. Taylor - do you know of any companies that are presently insuring in the Yukon Territory and this particular section is not enforced, in which say some company or some individual is insuring vehicles outside of the Territory and doesn't go through a Yukon company? Do you know of any cases; if these did exist, would you know about it?

Mr. Taylor: Yes, I would know about it Mr. Chairman but I can't name any company off hand that I can think of that does write, but I know that insurance is being written contrary to that section of the ordinance.

Mr. Watt: Mr. Chairman, I can name companies too. I just wanted it verified. So in effect this section of the ordinance is not enforced and I suggest we should eliminate it.

Mr. Shaw: Mr. Chairman, I would like to ask the Legal Adviser - we are more or less dealing with insurance claims. I wondered if there would be too much involved to check on some provincial legislation to see if there is provincial legislation that puts a fire underneath these insurance adjusters to settle the claims? MOTION #24

Mr. Legal Adviser: Well I will have to confine myself to perhaps two examples, the ones that I have worked on. The Ontario one I have some knowledge of and the BC one of course is near to hand. May I give an answer on that after lunch because it will involve an amount of reading?

Mr. Shaw: Yes, I would be very happy if we could get some answer to that.

Mr. Watt: I don't know how the rest of the Council feel. I think we should delete Section 34 with respect to this Ordinance for one thing. There is other things that I would like to say a few things on but apparently some other Councillors are concerned with this too and they have stated things on this particular point and this is why we asked Mr. Taylor to come up and I don't think that I have heard anybody talking in favour of this particular section continuing to be in effect; for some people it isn't enforced right now. I think we should equalize this and delete this particular section. This is one thing. Now there's other things that I would like to comment on with respect of insurance but this is one thing for now and I would like to go on record as saying this should be deleted.

Mr. Boyd: I wholeheartedly agree Mr. Chairman, because I feel that virtually every man that is insuring his vehicle is at the mercy of the devil and he is a hard man to get around. When a man has been in court and convicted of doing damage to another man's car and he still can't collect on his insurance premium or the other man's insurance premium there is something radically wrong. It's just a case of, as I said before, the insurance adjuster, his business is to make as few claims as possible and he seems to be able to do a good job of this. He is there to do a job and if you go and ask him - how about this? - well I can't see him and I can't find him and the man lives in town. I didn't see it but I was told of it where a man did go in to sign one of these claims to say he did it, and there was a girl in the office and she refused to take the signature. That was months ago and the claim has never been (inaudible) as yet because they can't find the man, although he lives in Whitehorse. So all these little fusses and stinks that start up once in a while in the newspaper they don't come without good cause and reason. There's people aggrieved. As I say one man supposedly, I am told by the man that's laying the charge, is trying to get a certain man into court now but this man has already been into court and convicted of doing the damage, but the automobile insurance doesn't work - he's got to get him into Court the second time. Why? Somebody is passing the buck; the insurance policies have got to be re-written in some manner that the people have some protection. The

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insurance company takes your money, they don't care. To me it's the insurance company and the agent who is the insurance company as such - he has the responsibility and for him to pass it off on to Joe Blow who doesn't sell or buy anything, he's got no responsibility, he doesn't care whether business comes to his door or not, he don't have to care. It's got to go there, we say it's got to go there. We should change this insurance set up and put somebody responsible for what they sell.

Mr. Shaw: Mr. Chairman, just looking at this off hand I would be inclined to agree with both Mr. Watt and Mr. Boyd in relation to kicking this thing out; on the other hand I'm not sure. That might be quite a lot deeper than what we're considering. Now I'm not taking the part of any insurance agent I can assure you that, but there is some reason for it being in and I think that perhaps more information on something like that might be advisable rather than working in haste on something. In discussing this motion Mr. Chairman, we are discussing claims right at the moment and if for example - say I have another insurance with a firm outside, what they would do without question, they would hire a local adjuster, they wouldn't send a man from Vancouver or Edmonton, they would immediately contact a person up here that was an adjuster - they have to have courses and qualifications to become an adjuster and they would just give him the job of doing the adjusting. So I don't think that would resolve that particular problem in relation to this particular motion. I think rather at this time - because I am not too knowledgable on the implications that might be involved in this thing. If all it is is protecting the insurance agent well I say kick it out but there might be something more involved and that's what I would like to find out. But what I would like to do with this motion is to find out some means whereby we as the Government can have somebody that an injured person can go to and say "he is not processing this claim for me" or whatever the complaint may be. It may be something which the court has to adjust in which case he would be so informed but if it's just straight procrastination on behalf of the adjuster then our people can step in and say "Look buster, get cracking on this."

Mt. Taylor: Mr. Chairman, could I interject something here on this section? I think further to what Mr. Shaw has said a few minutes ago, what we lack here is the equivalent of what is called a Superintendent of Insurance in each one of the provinces. And these types of problems - lack of activity on the part of the adjuster or the agent or the companies - would all go to the Superintendent of Insurance. But contrary to Mr. Watt's suggestion that this section be deleted, I think what this section lacks is merely enforcement. Now there isn't anybody in the Yukon Territory who has been given the responsibility of enforcing this section. It has never been tried in court, and I think that might be a good place to start to try and enforce it - get somebody to lay a charge against some company for writing insurance in the Yukon that doesn't go through an agent or something like this. Find out what it's there for.

MOTION #24

Mr. Watt: Mr. Chairman. Supplementary to what Mr. Taylor has said, what about these companies - construction companies and every other type of companies, transfer companies and everything else that are working in the Territory and they have got their insurance outside. Now what we are in effect doing is additionally penalizing the local contractor for having to buy his insurance. Some of them are buying it outside right now, some of them aren't. And as you said it hasn't been enforced. Well it's the larger feller is the one that's going outside to get his insurance and the little feller who gets hit harder. And I am not saying we should enforce this, I am saying we should eliminate this and if anybody can get a better deal outside for his insurance he can go and get it because all your agent is anyway, he's not backing you up, he's not doing anything; all he's doing is collecting a fee for (inaudible) franchise for a particular company for a particular area. And he doesn't even have to be associated with this company. Now what if there is a company that writes good insurance on say a construction company, or a pipeline or buildings and they don't have an agent up here, what if the individual or company wants to insure with that company, what's he going to do? Does he have to go and divvy up a few thousand bucks to all the agents round here? Now I think this should be eliminated; it would make for a little bit more competition in the insurance business and this is the object of the thing.

Mr. Legal Adviser: May I just say this: As your adviser I think the first person I always have to advise is myself and the advice I have to give to myself is that I am confronted with highly technical problems on a field of legislation where I don't have a day to day knowledge and I therefore don't want to be drawn into offering advice on a limited view of a situation. I would like to be able to recommend to the Commissioner that a special study be made of the insurance problem in the Yukon, with due note being made of Council's expressions at this Committee today, and to see what can be done to meet the problems which we believe exist. I cannot of course give any undertaking on behalf of the Commissioner but there does seem to be room for either improvement or a better explanation of why certain things are. And if the Committee felt that one or more of its members should participate in that study it would be more than helpful because the findings of the study will have to be communicated to the Council in due course. We do stand in danger of taking a rather short view of Section 34, you haven't heard any of the insurance people, they will have some point of view whether you disagree with it or not, you haven't heard an adjuster's point of view and you haven't heard an insurance company's point of view. There may or may not be merit in what they have to say but before we embark upon changes the only advice I can give to myself is find out what the other man's got to say.

Mr. Chairman: Well gentlemen, I wonder if you will require Mr. Taylor back here this afternoon?

Mr. Boyd: Well I have one question I would like to ask him.

MOTION #24

Mr. Shaw: Well Mr. Chairman perhaps Mr. Taylor could be here at two o'clock and we can continue this discussion.

Mr. Chairman: Would this be possible Mr. Taylor?

Mr. Taylor: Yes Mr. Chairman.

Mr. Chairman: Gentlemen, I will declare Committee in recess until two o'clock this afternoon when we will continue this matter.

RECESS

Wednesday May 3, 1967.
2.00 P.M.

Councillors Thompson, MacKinnon and Watt absent.

Mr. Chairman: Gentlemen, I will call committee to order and we are discussing the matter of insurance. We have with us Mr. Taylor again this afternoon. INSURANCE ORDINANCE

Mr. Boyd: Mr. Chairman, I have one question to ask Mr. Taylor and that is if a family or gentleman moves into the Yukon with a provincial licence on his car-as a resident he immediately or within so many days has to purchase a Yukon licence plate. Does he also have to purchase Yukon automotive insurance and what happens to the insurance he had when he came here?

Mr. H. Taylor: Our practice has been that when a person arrives in the Yukon Territory and becomes gainfully employed he must take out Yukon automobile licences- licence plates or they must register their automobile here and we give them one of our Yukon pink card; that is the Motor Vehicle Liability Card prescribed by the Motor Vehicle Ordinance. We give this person an auto card to forward out to his insurance company so that his insurance company can complete it and return it to us. In this way we find out whether his insurance company is going to keep him covered as soon as they find out he is in the Yukon Territory. In most cases if it is not a company that is handled by one of the local agents he is immediately cut off and told to get his insurance locally. If he is not his company then completes our Motor Vehicle Liability card and sends us our copy for our files and we request him, that when his policy has expired, to take out insurance with a local agent.

Mr. Hughes: Mr. Chairman: Could I add one point to that? A person coming from another province to the Yukon should always look at his insurance policy to make sure there isn't a requirement in the policy that he advise the insurance company of a permanent change of address. He might come up here and he might, for several months, not go to Mr. Taylor's office and change the plates even though he is supposed to and he might be involved in an accident and his insurance company might take the position that he had failed to notify them of the change in their risk because their rates are calculated on the areas that they live in; some areas are higher, others are lower, so that I do emphasize people coming in should always check their insurance policy on this point.

Mr. H. Taylor: Mr. Chairman, with your permission I made several notes while I was at lunch, thinking about this section and the pros and cons as to whether or not it should be deleted and with your permission I'd like to just tell you what I thought. The first thing that came to my mind that if this section was deleted from the Ordinance I can't see where it would benefit anyone in the Territory. The second point was that it would be detrimental to the enforcement of the Motor Vehicles Ordinance because we are dealing with the local agents on a day to day basis. We are dealing with them every day. They must file with our office a notice of either the cancellation or expiration of an automobile insurance policy. If we couldn't deal with them

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Mr. H. Taylor continues...

over the phone or in person most of the time we would have to write to them if they were situated outside the Territory, so that our enforcement there would be undermined to a great extent and the third point was that it would, to a minor degree, granted, detract from the revenues of the Territory because there are quite a few insurance agents and even some of the lawyers firms have taken out insurance agents licences so that they can represent companies and the only person, the only thing this would do is inflict a hardship on the local agents. Now, the local agents do receive a percentage of the commissions from these larger reputable insurance companies outside that write in the Territory and don't get an agent. They have what they call a counter-signing commission which they forward to the local agent to make them legal. Now, this doesn't do you or me or anybody else any harm because the premium that we pay would be the same no matter whether we bought this insurance from a local agent or from one in Toronto. The rate book is set up; I think Mr. Shaw can verify this, so that the various areas of the country pay the same rates. Now you would be doing the local agents nothing but harm if you allowed the people all over Canada to write in the Yukon without having any representative here and the commission that these agents receive is not added to the premium that you pay the insurance company. It comes out of the premium. So I can't see where you would be doing anything constructive at all by taking this out.

Councillors Watt and MacKinnon enter the Council Chamber.

Mr. Boyd: Mr. Chairman, the whole complaint is on the service and the difficulty in getting a damaged car covered by insurance; that is get your damage paid for by the insurance company. This is what I would like to correct, at least what I am aiming at. I think I will make a motion now and let Council discuss it. The Motion is that Administration endeavour to rectify the highly unsatisfactory condition that exists, forthwith, re the automotive insurance situation as per discussions by Council and that Council be further advised concerning same.

Mr. MacKinnon: Well Mr. Chairman, I believe the Motion is very inadequate. A few days ago we had a fire here at our back door and I believe that the same type of handling comes under the same jurisdiction and I understand that all this food that was fire damaged did not go for public sale. An individual was more or less called to the spot and the food was sold to a man in the second hand business and I was quite concerned about this because I was prepared to purchase this at the fire sale myself but this fire sale never came up and I believe this has to do with exactly what we are talking about at the present time. Apparently as I see it the adjuster would have control of these sales under fire regulations and instead of having a chance for public tender for these fire damaged products, that there was nothing public and it was a direct deal with an individual. And this is the way I feel and if we would like to further investigate the situation I would suggest that we set this particular item aside at the present time and thoroughly investigate what I am speaking about at the present time.

Mr. Shaw: Mr. Chairman, if the insurance company is going to pay a claim on some particular matter and I suppose that would be - I think it is quite within their rights to dump in the Yukon River if they so wish. It is private arrangement and nothing to do with the public. It is up to them how they dispose of it as long as they reimburse the insured it is their prerogative and I would say they are right to dispose of it however they wanted to. It is a private deal and nothing to do with the public.

Mr. Boyd: Mr. Chairman, it also appears to me that this is with respect - it is another subject compared to what we are dealing with. And Mr. MacKinnon made a remark that the Motion didn't go far enough - the Motion indicates that it refers to the unsatisfactory conditions that exist as per Council's discussion. This doesn't define it to a few words but leaves it open to the full extent what the troubles that do exist are.

Mr. Watt: Mr. Chairman, I'd like to suggest the first thing we should have, and not just as a study as has been suggested in Mr. Boyd's motion which seems to indicate that we should have. This appears to be the intent of the Motion. I object to this Section 34 right now but I think that could be left there if we had a Superintendent of Insurance as they do in the provinces. Now I think before we leave this subject right now we should have someone - we should set up someone right now as Superintendent of Insurance to help police this so if some individuals agree and if some insurance company is dragging their feet in settling a claim, whether it be fire insurance or automobile insurance, particularly automobile insurance, then there should be a Superintendent of Insurance that this guy can go to and say look, my car was damaged on the street six months ago by a thousand dollars worth of damage and hasn't been satisfied yet and I can't do anything without hiring a lawyer and I haven't got a thousand dollars to hire a lawyer and pay the retainer fee, whatever it is. I think the very first thing that we need and we should stipulate this right now, is Superintendent of Insurance, right now - this should be set up. As has been described here the provinces have this and this is what helps administer the Insurance Acts of the provinces and they have stipulations (inaudible) with respect to agency clauses and this Superintendent of Insurance would make sure the indivudual who is compelled to buy insurance would have somebody to appeal to. If his insurance rate is increased then he could appeal to the Superintendent of Insurance. If for some reason he gets a notice in themail saying his insurance has been cancelled because he is (inaudible)there is nobody here for him to appeal to. But he could appeal to the Superintendent of Insurance. So I think this Motion may be all right but I don't know if this would take a new motion or whether we would just amend Mr. Boyd's motion to indicate that there should be immediately imported a Superintendent of Insurance to take care of complaints with respect to the Insurance Ordinance and I think this is a most important thing that we can do right now. Another study may be all right but it is just another study but a Superintendent of Insurance would take care of some of the grievances which take place while the study was going on. I would like to have the rest of the Council concur with the Superintendent of Insurance set-up in the Yukon Territory and possibly he could take care of

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Mr. Watt continues...

theviolent objectors on the abuses of the insurance act right now and the complaints about the adjusting you would have some jurisdiction over and I think when we set this fellow up we should indicate that he has a lot of teeth and give him some power and just the fact that he is there will help a lot Secondly, if we give him some teeth he is going to makethese insurance companies get these things settled a lot faster. I would like to hear Mr. Herb Taylor's comments (inaudible)?

Mr. H. Taylor: Mr. Commissioner, this recommendation was - I don't know whether or not it was forwarded to the administration officially but the recommendation has been there for I'd say two or three years. I don't know if it was an official recommendation or not but it is a good idea but it is not just as simple as saying you are now appointed as Superintendent of Insurance to the Legal Adviser or anybody else. The legislation has to be prepared properly as you suggest, giving him the proper enforcement of powers. Mr. Hughes could probably tell you more after he has had a chance to look at the provincial set-up on this matter.

Mr. Shaw: Mr.Chairman, we are going a little further afield than what we started on this. It seems to be getting further away all the time. I think basically what we need and has been asked for in this chambers but we didn't get any place ...is the fact that if we force the people to carry insurance for automobiles the government itself should be the insurer and they should first start off with a figure they feel would cover the Yukon for public liability and at the year-end they would know what it would cost, what their losses were and their profits and the following year it could be adjusted accordingly and I think that is the only satisfactory way in which you will ever work out such an agreement because then you would serve the purpose of ensuring people against public liability and it would be at an actual cost of administering and financing a particular project. If a person wishes of course to get further insurance such as collision and so on that would be a matter where they would go to a private insurance company. But for the amount that we are required, and which we force people to carry insurance and I think it is good; I think everyone should carry insurance for public liability. I also feel though that the government itself should carry and should be the insurer, and if it costs more then we have to raise the rates or if it costs less we could lower rates; in other words when you go to buy a licence plate you buy the insurance with it. You can call it anything you like but when you force people to deal with private companies the principle is wrong and I think if we force people to carry insurance you should be prepared to be the insurer yourself and I felt the same about workmen's compensation..(inaudible) and I felt that way fifteen years ago and I haven't changed my feelings.

Mr. Chairman: Gentlemen, I have...

Mr. Shaw: I might add Mr. Chairman I get the same support I got years ago but once in a while I bring it up to review the situation.

Mr. Boyd: Mr. Chairman, Mr. Shaw has a very good point and one has been thought of on more than one occasion. This Motion says 'as per the discussions of today' I expect administration will take these discussions and digest them fully and then attempt to make something work from the gist of the conversations today and I don't know how you can nail it down any closer than that.

Mr. MacKinnon: Mr. Chairman, I must compliment Mr. Boyd on the motion that he has written which is thorough and complete. I would also like to compliment Mr. Shaw because he is thinking exactly as I do that the Territorial Government should handle this insurance. Now, we are going around and around here and I'm not so sure whether anybody is fully aware of what they are discussing but I have had some experience in this particular insurance complication, I would say. I have been called out by the R.C.M.P. late at night and I do not have a towing licence but to get a vehicle that has been in an accident off the highway- I've been called at three o'clock in the morning by the R.C.M.P. who came and knocked at my door and said will you get up and come and remove a vehicle off the highway and by removing the vehicle from the highway and putting it in my yard and I have looked over the vehicle and have thought it just might be the desirable thing to purchase for parts and value of the tires and things like this and maybe a good motor and later find out that an outfit from Whitehorse will come out to the Canyon and hook onto the vehicle and tow it to Whitehorse because they have already bought it. So this is exactly what is going on. This is not only one occasion. I have never got my towing charges but I never asked for them either. But Idid expect a chance to bid on a vehicle I had been requested to take from the hazardous area on the highway and I thought I should have had an opportunity to make a bid on this particular vehicle and I never once had the opportunity, like I say it was sold to some body shop within the Whitehorse area and they come to my place to pick it up and it is gone. So we talk of insurance and as I spoke before about the fire the other day on our backdoor step I think this has some relation and I believe the food that was in this freight truck should have been made available for public tender instead of being handled strictly by the insurance head and selling it to an individual for resale. I think there is a very close relation in this discussion and I hope Council is fully aware of what has transpired in regards to this adjustment policy.

Mr. H. Taylor: Mr. Chairman, there were a couple of points I thought I should make before Council goes any further and the first one is that every year there are less and less insurance companies that will write any kind of automobile insurance in the Yukon Territory and this can be only put down to one thing and that is they are not making any money so before the Territorial Government takes in on they should keep that in mind. And there is one other thing that I was going to have prepared into a Sessional Paper. I made a series of inquiries on insurance rates in British Columbia to compare with the insurance rates in the Yukon and the PL & PD rates that are charged by the Board companies and

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Mr. Taylor continues;

that covers all the companies, I think, that write in the Yukon, divided into two categories, $50,000 all inclusive or $35,000 all inclusive. The reason for that is that in B.C. they have gone up to $50,000 compulsory and in all the other provinces it is $35,000. We are still below that in the Yukon. Now these rates can be broken down into eight sections, the highest is in Vancouver proper, $50,000 all inclusive costs you $70.00; $35,000 all inclusive costs you $64.00. Now that is graduated down to the Lower Mainland and the Okanagan and the Kootenays, and the Okanagan and the Kootenays are the only two places in B.C. that have lower rates than we do right here in the Yukon. The rates in the Yukon for $50,000 all inclusive is $40.00 and for $35,000 all inclusive it is $37.00. The two that are the highest in B.C. are the Cassiar and Prince George section which is 65 and 60 as compared to 70 and 64 in Vancouver. I got that out of one of the rate manuals.

Mr. Shaw: Mr. Chairman, as you see, there are different rates for different areas of the country. Now the Yukon is $40.00 or a minimum (inaudible) instead of paying $11.00 for a plate or $15,00 for a plate (inaudible) $5.00 for a plate for a passenger car and you have your insurance and you have the whole works. And you have a Board of Adjusters in the Yukon who fix up your - fix up the other fellows automobile - it is third party liability we are referring to and you have exactly the same situation and if the losses in the current year are lower you can adjust them the following year, and so on. In other words, you are getting the maximum service out of what you pay. So what's the difference if I pay on my plate when I buy this plate as where I have to deal with a private company - a private company; if I were running an insurance company I'd expect to get a profit out of it and I believe in the profit motive but when the government says you must do this I feel they must be prepared to give you the maximum service at the minimum cost.

Mr. MacKinnon: Mr. Chairman, I would like to ask a question of the Registrar General, Mr. Taylor and I am wondering if he could explain the functions of a Superintendent of Insurance-just what his duties are?

Mr. H. Taylor: Mr. Chairman, I wouldn't attempt to explain the functions of the Superintendent of Insurance. The only thing I can say is that the Superintendent of Insurance in the provinces licences all the agents and what his other terms of reference are I do not know. I would have to ask Mr. Hughes to give you that when he has finished his study if he is going to look into that matter at all, but they have quite an extensive power in the provinces and I would not like to tell you what they are because I don't know.

Mr. Hughes: Mr. Chairman, the function of Insurance Superintendents is really a broad category, one of making sure that the insurance company has proper funds to meet its risks and maintains accounts which are published. He also has the function of seeing that insurance companies operate through

Mr. Hughes continues...

licenced agents. He controls the issue of the licences. He obviously keeps his eye on matters of insurance generally but he doesn't interfer as a whip cracker in the area that Council has been discussing today. That is almost an ombudsman function. It is not one of his functions in Ontario or in British Columbia. The function of a Superintendent is rather away from that and any move to improve the situation here with regard to the processing of claims might have to write in special terms for the Superintendent. There is of course, perhaps people overlooked this thing in the schedule to the Insurance Ordinance, special terms there and I don't know what effect is given to the provision in item 10 which you will find on page 598 of your Ordinances where it is setting out statutory conditions for automobile risk. I don't know how that operates in practice but it does provide an insurer shall pay the insurance money for which it is liable under contract within 60 days after proof of loss has been received by it or where an appraisal is heard under Statutory Condition No. 7 within 15 days after the award is rendered by the appraisers. Now, of course, this does not reach to the case cited by Councillor Boyd where it is not.... between the insured and his insurer but (inaudible) and has to pressure the other motorist. ...this is why I would like an opportunity to study - are these things handled better in the provinces or are we just ascribing to them a happier state of affairs than we have. I suggest, while I don't want to delay anything that Councillor Watt has in mind, we should inform ourselves, are things better done in the provinces, not persuaded that the type of case mentioned by Councillor Boyd doesn't occur in the provinces too and it is for that reason I would like to have time for study.

Mr. Watt: Mr. Chairman, with respect to that Section 10 now, after Mr. Hughes' answer, could I interpret that answer to mean that the Superintendent of Insurance would enforce Section 10 and if Section 10 is not in force right now how can a person enforce it - should a person have to go and hire a lawyer to enforce the Act. If the Act is being violated you should be able to go to the R.C.M.P. or the Crown Prosecutor and say Section 10 of the Ordinance is violated and here I have had an accident and the claim hasn't been satisfied within sixty days and therefore it is an offence against the Ordinance and therefore the insurance company is committing an offence and should be penalized according to the penalities levied in the Ordinance. Is that right Mr. Hughes?

Mr. Hughes: The committee will recall at the outset I indicated my own feeling of inexperience in this particular Ordinance and insurance business in general and I don't think I can give the Council a confident answer as to the effect upon compliance with section 10 at this time. I'll have to take time to study it. I'm sorry - I don't want to evade the question but it would be quite wrong of me to just give an off the cuff answer without serious thought.

Mr. Watt: Mr. Chairman, I'd like to give a specific example- The next Section there says when action may be brought to recover the amount of a claim unless....in Section 6. Now Section 6 (inaudible)(reads Section 6). Now here is an exact case. Now we had one appraiser in the Yukon Territory and I was involved in that several years ago - someone ran into my pick-up and damaged the front fender(inaudible) and there was no damage to my vehicle but anyway I went to an appraiser to see if it was $100 and the appraiser said

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Mr. Watt continues...

and he went to the same appraiser and we took him down and looked at this guys vehicle and said oh yes, it was a black fender on a blue car -it was already - something that had just been put there - to put this vehicle back into shape as it was before would cost $65.00 and this isn't even repairing the old but putting on a brand new one plus labour- $65.00. So I said that is fine I don't have to report it then and just put in a claim for this amount and the appraiser said this, the appraiser for both of us - we both had the same appraiser. It was cosy that we both had the same appraiser. But, so then the next thing I heard was later I get a letter from the insurance company saying we have paid $240 on behalf of such and such. Now, who got 65% of that money that went into that claim - who got it? I'm paying for it today. My insurance company - for five years. Now who got that extra 65%, it would have cost $65.00 to put that vehicle back in the same shape it was before and it was agreed upon. But there was $240.00 paid by my insurance company. Now who got that money, there is something wrong- there is something crooked here. And this type of thing is going on a lot. This is just one example. Now if there was a Superintendent of Insurance, any fellow could go and register a complaint - I wrote the insurance company and said you are crazy to pay that - I never heard from them again. (inaudible). But anyway I think that we should have somebody, preferably the Registrar of Motor Vehicles or the Superintendent General or Governor General Registrar or whatever you want to call him - the more important the name the more authority you can probably give him but these complaints could be registered to him now and if anybody does have a complaint and where the section of the Ordinance is not complied with and a settlement isn't made within a certain period of time then that agent should either have a reason why or should loose his licence (inaudible) this is my argument that we should do something constructive now and have somebody like this, I had a motion prepared along this line but I think it would probably be in conflict with the one of Mr. Boyd's. His motion, unless it is amended, would not make provision for anybody to hear a complaint or (inaudible) the same thing as I do but if we made it more definite in the motion than this would stop the delay and study time because when we leave here it is going to be pretty well forgotten - the wheels of government move slowly - if we make a motion now and get somebody to hear these complaints then you have him here and you can expand and we can get the legislation to give him more teeth later so I thoroughly urge the support of Council to having somebody set up now ... Registrar of Motor Vehicles who can hear these complains and I think we all agree that there is certainly something wrong with the Insurance Ordinance the way it is operating right now and I would further like to suggest that the Registrar of Motor Vehicles and the governmentcontinue to refrain from enforcing Section 34 as they are doing now.

Mr. Chairman: Well gentlemen ..

Mr. Boyd: I just want to say I don't care what the situation is in any place in Canada - I don't care if it is worse, or better but the situation here is lousy and that is what I'm trying to get corrected. I'm not concerned about any place else. I want what is here bettered. That's what I'm trying to get in that motion and to word the motion,

Mr. Boyd continues....

to word the motion, to define it into exactly what you want- there are a multitude of inequities in this whole insurance deal and I ask that administration report back as to what procedure they are going to take, what the recommendations are, and it is too much to expect to put it down here right now as to what it shall be. I think administration are entitled to have a look see and come back with what they propose and then have Council act on it. I know it is going to take six months, Mr. Watt, but I think you can't beat. If it can be done this session, fine but we will have to see how things go (inaudible) but I will get it corrected at least at the next session, I hope.

Mr. MacKinnon: Mr. Chairman, I would like to ask the Registrar General to clarify one point and that is whether the Superintendent of Insurance would have the jurisdiction to include fire insurance along with motor vehicle insurance and so on?

Mr. H. Taylor: Mr. Chairman, this would entirely depend on what was put in the Ordinance that he acted under. I believe that in the provinces the Superintendent of Insurance has the same authority over all types but this will depend on the Act under which he operates.

Mr. Shaw: Mr. Chairman, I would like to ask a question of the Registrar General. Can he tell me how much it costs -- first one is do Saskatchewan sell minimum public liability and property damage with their licence plates and if in the affirmative, how much do the licence plates cost for the average vehicle, average size automobile?

Mr. H. Taylor: Mr. Chairman, I can only answer that by saying that in Saskatchewan they have in the past few years charged an increased licence fee to cover the compulsory insurance in Saskatchewan but I would not like to say that this is going to continue very long. I heard rumblings the last time I was at a Motor Vehicle Conference that they were going to switch this and change it back again.

Mr. Shaw: That might be so, but they still at the present moment do have a fee for a licence plate for a car plus the insurance coverage. Surely you must have some information down in your office I imagine, that would give that information (inaudible) you can come up from time to time with the cost of licence plates across the country in different provinces in relation to the Yukon and I would feel that included in that information would be also information covering the Saskatchewan policy regarding automobile licence plates plus insurance.

Mr. Taylor: Yes, I do believe we have it in the office, Mr. Chairman.

Mr. Shaw: Could that information be forthcoming Mr. Taylor?

Mr. Taylor: Yes, Mr. Chairman, I can supply Council with that.

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MOTION

Mr. Chairman: Gentlemen, I have a Motion, it has been moved by Councillor Boyd that Administration endeavour to rectify the highly unsatisfactory condition that exists, forthwith, re automotive insurance situation as per discussion by Council and that Council be further advised concerning same. Are you ready for the question; ...

Mr. MacKinnon: I believe the motion is a little premature and I would like to see the question put to the Registrar General answered before we vote on this motion. I think it has quite a lot of concern around the table and I believe everybody should be well versed before we introduce the motion and vote on it. So I would ask the good graces of Council to give the Registrar General an opportunity to answer the question put to him and hold the motion off until that time.

Mr. Chairman: Gentlemen, this motion asks for additional information - possibly it can all be carried at the same time. However, what is your direction.

Mr. Shaw: Could we call for a short recess Mr. Chairman and get the information if Mr. Taylor has it downstairs?

All: Agreed.

Mr. Chairman: Gentlemen, I will call committee back to order and I believe there is an answer to Mr. Shaw's question, or Mr. MacKinnon's question, or somebody's question.

Mr. H. Taylor: I have here the insurance premiums but, I will give you what I've got. This is broken down into three categories. Under 110 inches the second category is between 110 and 120 inches wheel base and the third category is over 120 inches. That's exactly the same three categories our licence plates are split into. It is set out in two fees. The registration fee is separate from the insurance fee. The registration fee category is respectively $10, $15 and $20. The insurance premium is divided into those three categories I mentioned but then again it is divided into some dozen or more yearly categories, the lowest one are model of cars prior to and including 1936. That's just a cheap car with practically no insurance. The insurance fee on top of the registration fee there is for automobiles under 100 inches and in 1936 the fire is only $5 so the total fee is $10 for registration fee and $5 for insurance... Then you go up to the top category - year models 1966 and later - the insurance premium added to the registration fee is $53, $59 and $67. In other words the car that is 120 inches in wheel base and is a 1966 or 1967 model your total fee would be $20 for registration fee and $67 for insurance which is a total of $87. And as far as I can go now I believe that is for minimum requirements in Saskatchewan which is, as I quoted, $35,000 all inclusive. That is subject to clarification. Now compare that with our rate at present is $20 licence fee and you buy the $35,000 all inclusive in the Yukon for $37. That gives you $57 as against $87.

Mr. MacKinnon: Mr. Chairman, I would like the Registrar General to clarify this situation. Would this be applicable under finance and we are speaking of the minimum here in the Yukon. This is not a vehicle under finance and I believe that finance companies stipulate an insurance policy of a certain magnitude. Now when he is speaking of the policies in the provinces does this cover vehicles under finance?

Mr. Taylor: Mr. Chairman, it does not, it only covers your PL and PD- your Public Liability and Property Damage. If you finance your car on purchase you are required to cover it with collision, fire and theft, whichwe do not compel you to have under the Motor Vehicle Ordinance, so that they are two separate and distinct items.

Mr. MacKinnon: Mr. Chairman, is this applicable in provinces at the present time - now when you go and buy your insurance with your licence do you have to pay an additional licence if the vehicle is under finance - this is the point I am getting at?

Mr. H. Taylor: No, you do not, not to the government- the government is not interested in your collision, fire and theft. They are only interested in your PL and PD. In other words they are only interested in what damage you can do to somebody else.

Mr. MacKinnon: You are suggesting then that you would - a vehicle under finance-you would have to go to a private company in the province say Saskatchewan and get more insurance?

Mr. H. Taylor: To get the additional coverage, yes. The same as you do here.

Mr. Watt: Mr. Chairman, aren't there arrangements for normal package policies in Saskatchewan, covering your windshield, theft ...

Mr. H. Taylor: No, they do not. To my knowledge they only cover PL and PD. They are not interested in your windshield.

Mr. Watt: I bought insurance there for a long time.... this ordinary package policy is cheaper, cheaper than I can get this here and the coverage was (inaudible).

Mr. Taylor: You mean you get this package policy from the government?

Mr. Watt: I got the package policy from the Saskatchewan government which right now is a bit (inaudible).

Mr. Taylor: As I said before, this is subject to clarification and as far as I know we are only discussing PL and PD.

Mr. Shaw: In Saskatchewan it appears like they are going to go backwards again and resort to private insurance. Now, we have a total cost to the fellow that has a car

INSURANCE ORDINANCE

Mr. Shaw continues...

public liability and insurance and licence plates from $15 to $87. Now we have the extreme old car and we have the brand new car and the brand new car of course is 120 inch width - now in relation to the $15 licence which is the same as we have here which takes in an ordinary Chevrolet and so forth, what is the amount of insurance on that one Mr. Chairman - the $15 one, the $15 licence?

Mr. Taylor: The $15 licence is in the category of automobile between 110 and 120 inches. A $15 registration fee, your insurance fee then if it was a 1966 or later, is $59.

Mr. Shaw: And 1964 and 1963.

Mr. Taylor: 1964 to 1965 is $57. 1962 and 1963 is $51,

Mr. Chairman: Question on the Motion, gentlemen. Are you prepared for the question? Are you agreed with the Motion? Any contrary. I declare the motion carried.

MOTION CARRIED

MOTION CARRIED

Mr. Chairman: Now gentlemen, after recess we will be discussing Sessional Paper 111 the Proposed Consolidation of Classrooms in Carcross. I will declare committee in recess.

Mr. Chairman: Gentlemen, I think at this time we will call Committee back to order and gentlemen we have Sessional Paper #111, Proposed Consolidation of Classrooms in Carcross. (Reads Sessional Paper #111).

SESSIONAL PAPER #111

Mr. Shaw: Could we hear from the member from Carcross?

Mr. Boyd: Well, I have known about the situation as it has been processed as a program and I think the whole thing is highly satisfactory to those concerned in the area, and I myself commend the Department for making the utmost of the facilities that are in the area. And I would certainly recommend, move that the proposal here has Council's full-hearted support.

MOTION RE CONCUR WITH SESSIONAL PAPER #111

Mr. Chairman: Do I have it that you moved that Committee concur with the Sessional Paper? Is there a seconder to this gentlemen?

Mr. MacKinnon: Yes, Mr. Chairman, I am wondering if this school bus proposal comes in line with the regulations seeing that the school would hardly be two miles from the residential school and if this is going to be the practice in other parts of the Territory to establish school busses where the bussing will come within the two mile radius. And I would also like to ask Mr. Boyd if this is a Centennial project at Carcross.

Mr. Boyd: Well, I can answer to that question. I don't think it has anything to do with the Centennial. Just good management on the part of the Department of Education.

Mr. Shaw: The whole suggestion, Mr. Chairman, appears to me to be quite capable. ...It seems the least we could do is get together with that area and I agree with that statement in relation to this and I would be pleased to second the Motion.

Mr. Southam: Well, Mr. Chairman, what I would like to know is where do all these children come from. Do they come from Elsa? If so why aren't they in the Elsa school. Do they come from Mayo? Why aren't they in the Mayo school. I thought this was what we were trying to do--integrate. I know there are quite a few and I can't understand why we have to bring them all down here to go to school. I agree with the paper. I agree with this part. That you are going to make the most out of it. But I still can't understand why you have to bring them down and shove them into these hostels when we have schools there and the parents are there to look after them. Maybe I am pretty dumb. I guess I am, but it certainly seems to me that you go to Grade 4 in the residential school and then you ship them over here to the hostel over here. I wonder why. I would like to know why they can't go to school in their own homes. You put a school at Pelly. That must have eliminated a lot of them. And, now we have a school that is at Elsa that is not full and also in Mayo and why can't these children go there. I do know that a lot of Mayo children come down to Carcross and to town here. Maybe somebody could enlighten me a bit.

Mr. Boyd: I think I would ask Mr. Commissioner. I think he is familiar with this question.

MOTION RE CONCUR WITH SESSIONAL PAPER #111

Mr. Commissioner: This is a question that is a very logical and a very right question to ask, and I have looked into this and I would like to say this. That the vast majority of boys and girls who at the present time are attending the residential school in Carcross are there as a result of the fact of their home environment. Now when I say their home environment I don't mean their community environment. I mean their home environment is such that they would just not be in school if they were not at a residential school. We looked into this approximately four months ago Mr. Boyd?

Mr. Boyd: Yes.

Mr. Commissioner: And the question came up at that time as to where the majority of these boys and girls came from that we are sending to residential school. And I may say that the residential school at Carcross is a pleasure to visit. The vast majority of them come from right around the City of Whitehorse. And the reason that they are at Carcross is simply due to the fact that if they were in their home environment the chances of them getting to school on a continuing basis would be very, very poor. And that is the reason that they are there. And there is no other reason.

Mr. Southam: Thank you Mr. Commissioner. I am satisfied.

Mr. Commissioner: Excuse me, I think I could answer Councillor MacKinnon's question Mr. Chairman, if I may. He was asking if this would be a practice as far as school bussing is concerned. This bussing situation gentlemen of school bus transportation will not come under our jurisdiction at all. This will be provided at no charge to the Territory by the Department of Indian Affairs if Council sees fit to go along with this proposal. And will have no bearing on--in otherwords the Territorial Government is not proposing to do anything in connection with school bussing at Carcross.

Mr. Shaw: To add to that Mr. Chairman, about three or four years ago there was quite a migration of children from the various areas in the Territory to the hostels in Whitehorse. Just prior to that there was a question as to why these places weren't full and what excuses were there. The Territory embarked on a large building program and the first thing you knew in some areas it wasn't required on account of the children weren't there. And, I felt that this was a very bad state of affairs and the Superintendent of Indian Affairs was before Council and I recollect asking him a question how was this. And his information to me was that the Indian children if they so wished, or the parents of the children if they so wished that they attend one of these schools that is their right under the Indian Act to have them go to these particular schools. Whether there is accommodation in the local Territorial school or not. They do have the option. If they say they want their child to go down there then apparently they have that right under the Indian Act. I think you will find that that is the case.

MOTION CARRIED

Mr. Chairman: Gentlemen, are you prepared for the question on the Motion? Does Committee agree? I will declare the Motion carried.

MOTION CARRIED

Mr. Chairman: The next Sessional Paper is Sessional Paper #112. (Reads Sessional Paper #112 re letter from Mr. R. Couture). SESSIONAL PAPER #112

COUNCILLOR SOUTHAM TAKES THE CHAIR

Mr. Taylor: Well, Mr. Chairman, this letter I thought I should table on behalf of Mr. Couture. Since our last discussions on the subject we have of course received some information on the tartan and where these copyrights are held and I think all members have received copies of this and it appears that there are provincial tartans held by various people. But there are four I believe held by, or registered by Lord Lyons, King of Arms in Scotland.

Mr. MacKinnon: Order, Mr. Chairman

Mr. Taylor: What is the point of order?

Mr. MacKinnon: This has been already discussed at this Session, Mr. Chairman, and I believe that this is against our procedure in Council. Once the matter has been discussed it is finished for that Session. I believe this is a rule of Council.

Mr. Watt: I agree with Mr. MacKinnon's point of order. I think that we do have something in our rules that states that something has been brought up and discussed and it cannot continually be brought back and go over it and over it again. I think that Mr. MacKinnon does have a point there.

Mr. Taylor: Well, Mr. Chairman, I cannot agree. The matter I refer to is the matter of copyright and this is something I wish to discuss. However, if I am not permitted to do so of course I will not. This is up to the Committee to decide I think.

Mr. Southam: Does the Committee agree that Mr. Taylor will proceed with this Sessional Paper #112.

Mr. Shaw: I am trying to see Mr. Chairman where we discussed this.

Mr. Chairman: At this time I will call a short recess until we get our bearings. RECESS

RECESS

Mr. Chairman: I will call Committee back to order, gentlemen.

Mr. Commissioner: Mr. Chairman, before you get underway could I ask to be excused for a short while?

Mr. Chairman: Can the Commissioner be excused gentlemen?

Committee: Agreed

Mr. Commissioner: Thank you, gentlemen.

Mr. Chairman: What is your wish now, gentlemen?

Mr. Taylor: Well, Mr. Chairman I would agree to drop this matter at this time. The matter has been really resolved and possibly if I am around here at the next Council session I will have an opportunity to reaffirm the matter without

SESSIONAL PAPER #112

Mr. Taylor continues...

being refused the opportunity to do so.

COUNCILLOR TAYLOR RESUMES THE CHAIR

Mr. Southam: Well, before this matter is closed I would like to express my opinion.

Mr. Watt: Order, are we discussing this Motion again?

Mr. Southam: I am going to express my opinion. Now this Council owes this woman an apology for saying that she could...

Mr. MacKinnon: Order, Mr. Chairman.

Mr. Southam: On her...I didn't say copyright or anything

SESSIONAL PAPER #113

Mr. Chairman: Are we clear gentlemen? The next matter is Sessional Paper #113. (Reads Sessional Paper #113 re Manpower and Immigration Office in Whitehorse).

Mr. Thompson: Order please, gentlemen, order, order, order. Order, please gentlemen, order please gentlemen. If you are going to carry on a conversation, I would suggest that you rise.

Mr. Watt: Yes, Mr. Chairman, I rise on a point of order. If you check our rules and if you check the thing that if somebody is talking in a whisper to somebody else. I simply asked if I could borrow a page of his Ordinance, and I did so without disturbing anybody else over here and this is strictly in order if you are following the same. Now, if Mr. Thompson is going to keep saying, order, order, order and disturbing the whole Council then I think he is out of order. So I rise on a point of order that I think it is wrong for somebody to keep hollering order, order, order and disturbing the whole Council.

Mr. Chairman: Well, gentlemen, it is distracting to keep little side conversations going when we are in Council. And I would appreciate it from the Chair if we could refrain from this and try to stick to the matter at hand. I will proceed with reading of the paper gentlemen. Clear?

Committee: Clear

Mr. Chairman: The next item is Sessional Paper #114. (Reads Sessional Paper #114 re Symbolic Presentation of Centennial Medallions). Clear?

Committee: Clear.

Mr. Chairman: Well that concludes your Sessional Papers to date gentlemen apart from final review. We have a matter of one deferred Motion. Deferred to yesterday and I had no opportunity to bring this to your attention involving the Lynn Building Agreement. And I wonder if someone would wish to move that this be deferred until such a time as we have the necessary documents I believe are being prepared for tabling.

MOTION RE DEFER MOTION RE LYNN HOLDINGS

Mr. Shaw: Mr. Chairman, I would move this this particular Motion be deferred until we receive the promised Sessional Paper from the Administration.

Mr. MacKinnon: I will second that Mr. Chairman.

MOTION RE DEFER LYNN BLDG. AGREEMENT

Mr. Chairman: It must be deferred to a date certain unfortunately.

Mr. Watt: Mr. Chairman, I would like to ask what further papers do we need with respect to this Motion. The reason I mention it I think that our continuous discussions on this--I don't object to the discussions that are just unnecessary delays because it may--it is holding up construction and we are to blame or partly to blame if construction cannot go ahead...so what are the papers you have suggested.

Mr. Shaw: Well, Mr. Chairman, I was informed by the Clerk that there was a Sessional Paper coming on this and that to go with this particular agreement which was tabled to explain some part--I don't know what is in the Sessional Paper so I would expect to get that paper. And, I am just as anxious to get that matter discussed as anyone and seeing that I no seconder for my motion I shall make a new motion.

Mr. MacKinnon: Well, Mr. Chairman, I seconded your Motion.

Mr. Shaw: Oh, well I think the Chairman has advised me that there should be a date set, so I would say tomorrow for that date and hope that the Sessional Paper gets here tomorrow and we can defer it from there on.

Mr. MacKinnon: Mr. Chairman, I think we should get in contact with the Commissioner's office before we set a date. We did set a date for Tuesday at 10:30 to discuss this matter which was this morning and the Sessional Paper did not appear. And it was the Commissioner that stated at the table here that he wishes to provide us with a Sessional Paper so maybe we should have clarification from the Commissioner's office as to whether this paper can be tabled for tomorrow morning or not.

Mr. Shaw: Well, Mr. Chairman, if this is deferred until tomorrow and we can't take it up we can defer it to the next day. The point is that I believe, now it has been mentioned the 9th. I would put it this way there is a project going on just around the street that involves a few hundred thousand dollars that people are waiting for an answer on what's going on. They have already made a deal. Now we have to make another one. They would be most anxious I am sure to get this matter cleaned up whatever way it's going to be cleaned up as soon as possible. And I think it should be tommorow. In fact it should have been here already. And, I would make the date for the 4th of May in my motion.

Mr. Watt: I will second that.

COUNCILLOR SOUTHAM TAKES THE CHAIR

Mr. Taylor: Well, Mr. Chairman we already have a motion. But I did ask--it is my motion. This is why I can't defer I can't move an amendment to defer my own motion to a further date. But, it's not the Council that are dragging it's feet it's the administration because where is the document that has got to be tabled. I don't know why they are dragging their feet on this thing. And it is not this Council. I have asked that it be deferred until next Tuesday in order to give an opportunity for the administration to

MOTION RE DEFER LYNN BLDG. AGREEMENT

Mr. Taylor continues...

come around to tabling this document and this is what it is all about. And to table it from day to day I don't think is any answer to it at all. But, this is why I asked, or were I able to move an amendment to my own motion that it be deferred until next Tuesday, the 9th.

Mr. Shaw: Well, Mr. Chairman, let's get this paper from the administration and tackle it tomorrow.

Mr. Watt: Mr. Chairman, maybe I am mistaken you can correct me. But, it is the paper that we already have in our possession is just a formality. Is that what we are waiting for? I just wanted to rise on a point to clarify it. I am not objecting to anything.

Mr. Shaw: I thought I clarified it. We had the paper there--tabledit. However, out of courtesy to the administration on account of they had a sessional paper to go with it. We let it go until this time and I think it is about time this sessional paper was here. And it should be here tomorrow morning.

COUNCILLOR TAYLOR RESUMES THE CHAIR.

Mr. Chairman: I have a motion moved by Councillor Shaw and seconded by Councillor MacKinnon that this Motion be deferred, but I have not the date for which to defer it to.

Mr. Shaw: On Tuesday, May 4.

Mr. MacKinnon: Well, Mr. Chairman, I believe you have two motions before you at the present time. One Motion of Mr. Shaw's seconded by myself and also a motion of Mr. Shaw's seconded by Mr. Watt. And I am just wondering what motion we are discussing at the present time and if Mr. Shaw and I should get together and withdraw the first motion before we procedd.

Mr. Chairman: Just to clarify the point again. For the last and final time. There is only one motion in existence and that is that it has been moved by Councillor Shaw and seconded by Councillor MacKinnon that the Motion respecting Lynn Holdings be deferred until May 4. Are you ready for the question? Are you agreed? Any contrary? I will declare the motion carried.

MOTION CARRIED

MOTION CARRIED

BILL #12 PUBLIC SERVICE OF THE YUKON TERRITORY

Mr. Chairman: Gentlemen, I will proceed now I guess to Bills. The bill respecting the public service of the Territory. I will proceed with the reading of the bill. And, gentlemen, we will take this bill section by section as we normally do with a bill of this length. Reads Section 1, 2 (1)(a)(i)(ii). If you have any questions on these gentlemen, holler question. (b)(c)(d)(e)(f)(g)(h)(i)(j)(k)(l) and subparagraph (2) and (3). Clear?

Committee: Clear

Mr. Chairman: Next is Section 3, Management and Direction. Number 4, Classification, subparagraph (1)(2)(3)(4) and (5).

Mr. Shaw: What is the, Mr. Chairman, perhaps the Legal Advisor could explain what this subsection (5) of Section (4) really means. BILL #12

Mr. Legal Advisor: Well, it means that he has unfettered control and he can do anything within the public service. Re classify, divide a section or unit and so on. It is emphasizing section 3 and outlining how he would go about classifications. Section 3 of course is the one that gives him a position of absolute authority. Then they begin to outline how he would work.

Mr. Shaw: Well, then Mr. Chairman in this case it would appear to me that all you need would be subsection (1) The The Commissioner shall divide the public service into classes of employment, and he may combine also abolish any classification or grades and you have got the whole works.

Mr. Legal Advisor: Well to put it even more succinctly you could possibly say that all you need is Section 3. But, he would be out in the saddle then and he is completely in control. But, you have got to look at it from the point of view of the staff. When they come to apply for a job to examine their position in relation the Territorial Government employing them they have got to have some idea of the type of machinery. So you are quite right. This really is almost surplus. But the staff from time to time may want to look it up and say well how are we classified. So rather than set it out in regulations here it is in the ordinance. That really is about the aim of half this ordinance to let--inform the staff of how the thing will be run.

Mr. Boyd: I have a question. This is an ordinance respecting the public service of the Yukon Territory and it refers to as I understand it specifically to the employees of the Territorial Government. Now these are...of the Civil Service, rules and names and meanings and titles. All the way through. It is just a duplication of what exists elsewhere in the Civil Service or is it near a duplication.

Mr. Legal Advisor: Well it is a kissing cousin and it is very similar to the one that was introduced in the Northwest Territories. There are some small changes of terminology, and also the changes due to the fact that the Northwest Territories has had a public service until its recent ordinance while we have had one going on for nearly fifty years I suppose. But, it is modelled on the Canada Civil Service Commission.

Mr. Boyd: This supplements another question now. There are kissing partners as I understand it, clear across Canada and yet the Commissioner can just about made this a non-relation entirely if he so elects to do so. The power is right here. It would resemble nothing in the long run if we had a Commissioner who elected to put in his own ideas.

Mr. Legal Advisor: Well, it certainly does leave him a lot of elbow room, but in effect you would be trying to tie down the Commissioner who represents the minister who in turn represents the queen and this is the problem that you are up against. Unless the queen consents to be bound you can't fetter her.

BILL #12 Mr. Watt: I have got a question I would like to direct to the Legal Advisor. Does this ordinance cover the teachers that are employed by the Federal Government?

Mr. Legal Advisor: Well that, Mr. Chairman, there has been a tendency to distinguish between teachers and general staff. There is a provision later on. I just have to put my finger on it regarding the teachers. I may say that I am not as familiar with this Ordinance as I might be because it was not prepared in consultation with me. I have not been a party to any of the discussions on this and therefore I don't have an immediate familiarity with it that I would like to. So may I consider that--there is, I think the question would perhaps be better directed to those members of the administration who conducted the discussions at which I was not present.

Mr. Boyd: I asked this very question when I was on the teacher's salary negotiating committee. I asked the Commissioner face to face if it was intended that the school teacher should in any way come under the jurisdiction of the Civil Service and I was assured that it would not be so. And before I get through with this I would like to see this question clarified once more in front of Council. Because, speaking for myself the teachers are not Civil Servants. They do not follow the same procedures and the same patterns and they shouldn't come under the bureaucratic setup that we have.

Mr. Watt: Mr. Chairman, could we just leave the question ...and it wouldn't put anybody on the spot right now. It would give the time to find out for sure.

Mr. Legal Advisor: Well, if this could be taken up directly with the Commissioner when he comes in there will be other points that will arise. And, there is a policy line involved in this question that I can't comment on.

Mr. Watt: Agreed

Mr. Chairman: I will see if Mr. Commissioner is available and we will proceed gentlemen. The last is the title of each grade shall be observed in all records of the Territorial Government. Clear?

Committee: Clear

Mr. Chairman: Mr. Clerk, could you see if Mr. Commissioner is available at this time. The next section is section 5. (a)(b)(c)(d). Next is section 6, and 7.

Mr. Boyd: Mr. Chairman, to me we are wasting our time. What rates would you get out of a thing like this. How could you put something down. Does it depend on who the man is, who he is popular with or who is he hated by. Nothing is set standard. They don't say you are no good we will get rid of you. We will give you one of these ornery looking rates and make it miserable for you. If that's the discretion well we are going through a paper here with things that are supposedly being written down and put in and we are agreeing to and we are agreeing to nothing but flexibility. I make this point. When we are all through it it will take another part of the staff to digest and understand what the staff is entitled to and who they are and what rating they come into.

Mr. Chairman: Well, I will call Committee back to order and gentlemen I have been informed that neither is the Commissioner nor his Executive Assistant or his Administrative Assistant can assist us in this matter so possibly the director of personnel may be of assistance here. And apparently he is in the upper Whitehorse area and could not be down here this afternoon to discuss this. So you may wish to have this gentleman here tomorrow. Is this agreed? BILL #12

Committee: Agreed

Mr. Chairman: What is your further pleasure at this time.

Mr. MacKinnon: Due to the time Mr. Chairman I would suggest the Speaker resume the Chair and hear the Report of the Committee. MOTION RE SPEAKER RESUME CHAIR

Mr. Chairman: Is this a Motion?

Mr. MacKinnon: Yes

Mr. Boyd: I will second the Motion.

Mr. Chairman: It has been moved by Councillor MacKinnon and seconded by Councillor Boyd that Mr. Speaker do now resume the Chair and hear the Report of the Chairman of Committees. Are you prepared for the question? Are you agreed? Are there are contrary? I will declare the Motion carried. MOTION CARRIED

MOTION CARRIED

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

Mr. Taylor: Mr. Speaker, Committee convened at 10:40 a.m. this morning to discuss bills, memoranda, sessional papers and motions. Mr. Commissioner attended Committee to discuss sessional papers. Also Mr. H. J. Taylor assisted Committee in relation to Insurance Claims. Committee recessed at 12:00 noon and reconvened at 2:00 p.m. It was moved by Councillor Boyd and seconded by Councillor Taylor that administration endeavour to rectify the highly unsatisfactory conditions that exist forthwith, re automotive insurance situation as per discussion by Council. And that Council be further advised concerning same. This Motion carried. It was moved by Councillor Boyd and seconded by Councillor Shaw that Committee concur with proposals outlined in sessional paper #111. This Motion carried. It was moved by Councillor Shaw and seconded by Councillor MacKinnon that a motion re Lynn Holdings be deferred until May 4. This Motion carried. I can report some progress on Bill #12. It was moved by Councillor MacKinnon and seconded by Councillor Boyd that Mr. Speaker do no resume the Chair and hear the Report of the Chairman of Committees. This motion also carried. REPORT OF CHAIRMAN OF COMMITTEES

Mr. Speaker: Gentlemen, you have heard the reading of the Chairman of Committees report. Are you agreed to the Report? Thank you. What is your pleasure at this time? Oh, we have the agenda for tomorrow. If we study bills, memoranda, sessional papers and motions is that agreeable?

Mr. Taylor: Mr. Speaker, we have a kind of a scattered administration, but I was wondering if following tomorrow morning the Orders of the Day if we could possibly accommodate

ORDERS OF THE DAY

Mr. Taylor continues...

Doctor Sprenger to clear up that section of the budget. And if following that if we could proceed with further work on Bill #12?

Mr. Speaker: Bill #12. Is that agreeable gentlemen? I believe Doctor Sprenger is going out next week and we should get him here this week if possible.

Committee: Agreed.

Mr. Speaker: Mr. Clerk, could you see if Doctor Sprenger could be here tomorrow morning at approximately 10:30? What's your pleasure now, gentlemen. That will conclude the business for the day apparently.

Mr. MacKinnon: Mr. Speaker I move that we call it five o'clock. Mr. Speaker, in view the members seem to be asleep I will repeat my motion that we call it five o'clock.

Mr. Speaker: Thank you Mr. MacKinnon.

Mr. Watt: Mr. Speaker, I believe you lighted it before somebody could prepare to second this motion. I second the motion.

Mr. Speaker: Thank you Mr. Watt. It is handy to be told. It has been moved by Councillor MacKinnon and seconded by Councillor Watt that we call it five o'clock at this time. Are you ready for the question? Are you agreed to the Motion? Are there are contrary? The motion is carried and this Council now stands adjourned until tomorrow morning at ten o'clock.

MOTION CARRIED

MOTION CARRIED

Mr. Speaker read the daily prayer and Council was called to order. Councillors MacKinnon and Watt were absent.

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

Mr. Clerk: There is, Mr. Speaker.

Mr. Speaker: The first item on the Agenda is correspondence. Have you any correspondence this morning, Mr. Clerk?

SESSIONAL PAPERS #115 #116 #117

Mr. Clerk: Yes, Mr. Speaker, we have Sessional Paper No. 115, Fresh Water Fisheries; Sessional Paper No. 116, Submission - Yukon Territorial Public Service Association; and Sessional Paper No. 117, Fire Insurance re Porter Creek School. That is all I have this morning, Mr. Speaker.

Mr. Speaker: Thank you, Mr. Clerk. Is there further correspondence? If not, have we any Reports of Committees? Have we any Introduction of Bills? Have we any Notices of Motion and Resolution? Mr. Taylor, will you take the Chair please.

Mr. Taylor takes the Speaker's Chair.

NOTICE OF MOTION #35

Mr. Shaw: Mr. Speaker, I would like to introduce Notice of Motion on Public Utility Commission.

Mr. Speaker: Thank you, Mr. Shaw.

Mr. Shaw resumes the Speaker's Chair.

Mr. Speaker: Have we any further Notices of Motion? If not, we will proceed to Orders of the Day. Have we any Notices of Motion for the Production of Papers? We have no Motions for the Production of Papers. The next item would be Motions. We have Motions Nos. 30, 31, 32 and 33 and 34 by Mr. Watt and Mr. MacKinnon. They are not here to present the Motions. We will proceed to the next item which is questions. Have we any questions this morning? If there are no questions, we have Bill No. 17 for First and Second Reading. What is your pleasure?

FIRST READING BILL #17 MOTION CARRIED

Moved by Councillor Boyd, seconded by Councillor Southam, that Bill No. 17, An Ordinance to Amend the Insurance Ordinance, be given First Reading at this time.

MOTION CARRIED

SECOND READING BILL #17 MOTION CARRIED

Moved by Councillor Boyd, seconded by Councillor Southam, that Bill No. 17, An Ordinance to Amend the Insurance Ordinance, be given Second Reading.

MOTION CARRIED

Mr. Watt enters the Council Chambers.

Mr. Speaker: What is your pleasure at this time, 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. Taylor will take the Chair in Committee of the Whole.

Mr. Taylor: Gentlemen, at 10:30 we will have with us Dr. Sprenger so possibly we could catch up on Sessional Papers until that time with your concurrence. I will declare a short recess.

Mr. MacKinnon enters the Council Chambers.

SESSIONAL PAPER #115

Mr. Chairman: Gentlemen, I will call Committee to order. We will be dealing with Sessional Paper No. 115, Fresh Water Fisheries. (Reads Sessional Paper No. 115).

Mr. Shaw: Well, Mr. Chairman, the Department of Fisheries apparently have concurred to some extent with the Yukon taking over certain portions of the Fresh Water Fisheries. I think the next step now before any final decision is made, Mr. Chairman, would be to see if we could ascertain what... for the Administration to ascertain what costs are involved and what benefits would accrue from a financial point of view and perhaps that could be gathered together by next fall session of Council so that they would have the facts before them in which to make a decision. I very much think that it is a very good thing to have the Fresh Water Fisheries under the control of the Territorial Government.

Mr. Southam takes the Chair.

Mr. Taylor: Yes, Mr. Chairman, I also agree that the Yukon should endeavour to take over Fresh Water Fisheries. I had hoped that even by now that we could have taken this function over, however I correlated this with the ability of the Game Department to have wardens in the field and without wardens in the field, it is kind of pointless taking over the Fisheries Department. I dearly want to see this taken over but we would have then nobody to manage it and if we have nobody to manage it, it can only cost us money and we would not be doing our job in realizing the benefits, the many, many benefits that can be acquired from the take-over of Fisheries. In terms of reveneues and expenditures, I think it costs the Department $12,000.00 to $14,000.00.....no, they make $12,000.00 to $14,000.00 off the sale of fishing licences and so forth at the present time and they expend about $60,000.00 in keeping two men in the Territory doing this work and all the other expenses but I am of the opinion if we took it over, we could start up an A,B,C, type guide system for the people, especially the native people of the Yukon, encourage the development of fishing camps. This is all correlated to tourists and tourist type promotion. You find that probably 8 out of 10 people that you meet on the street are fishermen and I know the United States and the rest of Canada are just chuck full of fishermen who would just love to come up here and partake of our many fishing possibilities in unfished lakes here in the Yukon. I know it was argued in Ottawa by some Members that this is not very good...if we expend $60,000.00 at the present time and only take in a revenue of $12,000.00 to $14,000.00, this is kind of pointless but I wish to point out,

Mr. Taylor continues:
Mr. Chairman, that in taking this over and if we are in a position to have wardens in the field to look after this responsibility, which we must, then the benefits may not directly accrue back in the amounts you would expect to see in relation to expenditure but they will accrue back through other sectors of the economy and I can see nothing but ten-fold good coming out of this. The only other argument I heard opposed to this was one locally since our return from Ottawa and that was that possibly the Federal Government would still have control of the Regulations... that we could not change a Regulation. I have since found that this is a similar situation which exists in the Provinces and it is a matter in which the Federal Government assure jurisdiction. However, I see no problem here and I would say correlated with the development of our Department of Game, which would then I suppose be Fish and Game or whatever you want to call it, I think that this would be a very, very outstanding step forward for the Yukon Territory because it is an untapped resource and it could become, with Game, the only natural resource that we have any control on at all.

Mr. Taylor resumes the Chair.

Mr. Chairman: Is there anything further on this Sessional Paper, gentlemen? The Commissioner, I might add, has asked for guidance and comments. If you have any further comments, it would be appreciated.

Mr. MacKinnon: Mr. Chairman, I am wodering if my thinking is correct in regard to this matter. From the foreseeable point of view, will this just be a matter of adding extra monies to our present Budget and and it will be recoverable from the Federal Government. Is this correct or will this.. by the take-over of Fisheries...will it come completely under the Territorial financial status? This is what I am concerned about.

Mr. Shaw: Mr. Chairman, this is a Territorial matter. Mind you....

Mr. MacKinnon: Not wholly.

Mr. Shaw: As a matter of a grant I suppose we would get 88_85% of this back in grants if we go according to the present ratio of Federal vis-a-vis Territorial expenditures but at the present moment, Mr. Chairman, I suggested that we have the Game Department or the appropriate department...the Administration we will put it for simplification...look into what the costs would be in dollars and cents and what the revenue would be in dollars and cents and after getting this information, then the coming-in Council will have the figures before them to know exactly what it is. We don't know what it is. We have asked for permission to take it over and this permission has been granted. Now, the next stage, I think, we can find out what is involved actually in monies. Once we get that...the next Council gets that...they can make the decision accordingly. I wouldn't feel that at this time it was the appropriate time to say "Yes, we will take over..."... I don't think that would be right. We would have to investigate.

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Mr. MacKinnon: Mr. Chairman, with this Council having the privilege of meeting with the Department of Fisheries in Ottawa, I believe that this is our responsibility and we should make a firm stand at this time and instead of asking we will say a new Council to handle this manoeuver. This could easily be a very costly thing to the Territory. I am all with it in principle that we should have control but if it is going to create a hardship on the taxpayers, we will say, of the Territory, then I think we should take a serious look at the matter in discussion. It's fine to grab a hold of things and say we'll enlarge the Game Department and I will also say at this time, Mr. Chairman, that the Game Department at the present time is one of the most efficient Departments being operated in the Territorial Government at the present time. We realize it will be an increase in staff and all such things as this and if we are getting away then from the Federal Government or, as we say, the Great White Father, to stand behind these bills that must be paid, then I believe it is a very dangerous step. Could we have the Commissioner here at this time? I would like to ask the Commissioner certain things in respect to the take-over of Fisheries.

Mr. Boyd: Mr. Shaw has made a suggestion, Mr. Chairman, but I know when we get these figures, depending on who makes them and what their views are, how much of a job do we want to do in management of Fisheries, the figure could vary anywheres from $10,000.00 to $150,000.00 so what you get is not going to be it in the long run but I do think that somebody should set down something in black and white as to how far we want to go in management of it, what we will do and what that will cost and leave it up to the incoming Council. Certainly I am not prepared to deal with it at this Session.

Mr. Watt: Mr. Chairman, I feel that if we take this over, we will by its very nature be setting up a new Department and this new Department, if it's going to do its job properly, will have to have considerable technical staff as well as field staff, plus possibly laboratory facilities and this type of thing which is presently...a lot of this staff is being supplied by Ottawa both here...and some of the technical staff is being supplied....we are using the facilities in Ottawa. I think that is more efficient that way than it would be if we duplicated this service in Whitehorse or in the Yukon Territory and at this time, possibly at a later date...but at this date, with the information I have, I do not think that I could justify setting up a new Department now...a Department of Fisheries now. If you call it a Department of Fisheries and Game and associate it with Game, it's still in effect...it's a new branch of an old Department so it will amount to the same thing. This setting up of a new Department would, in effect, I think, cost the Territory a lot more than supplying kindergartens in the Territory and I can't justify that...this expenditure at this time...because I think that a lot of technical and experienced men are available to us and it would be foolish for us to start duplicating the services that we are already getting at reasonable expenses.. reasonable terms.

Mr. MacKinnon: I believe in the Provinces that they are not actually in control of Fisheries. There are certain aspects of the Fisheries Department that I believe we could handle and one would be the angling. I believe that before we move into a situation like this that we should check out

Mr. MacKinnon continues:
the provincial status in this regard. I don't believe that they have completely taken over Fisheries in any of the provinces in Canada and they do handle the angling end of it but I think that's about as far as they go. We have.. fresh water fish, salt water fish and we have the same thing in the Yukon. I think this needs a lot of consideration before we would say we were willing to make a complete change in the take-over of fisheries because, for instance, the salmon run through the Territory...this is not a fresh water fish and I believe we should have a very serious look at this before we progress with any take-over. It's mentioned but it's not complete.

Mr. Thompson: Well, Mr. Chairman, I can only assume that the Member wasn't listening or hasn't read this Sessional Paper where it says that all provinces, with the exception of the Maritimes, have complete control of Fresh Water Fisheries and all they are asking is that we take over the Administration and management. Any additional help such as the technical aid will be available to the Territories and I think that this is what the majority of Council had asked for previously. They have given us every indication that they are willing to go along with this and as far as large additional costs, I think the extent of the Federal contribution to Fisheries in the Yukon over the past few years has been one officer on a full-time basis and one or two additional assistants in the summer so there isn't this much involved I think as far as the Territory is concerned, money-wise. There is no comparison between the costs of this program and kindergartens and I can see no reason why we should not fully concur with this Sessional Paper and give the Administration the green light to implement it.

Mr. MacKinnon: Mr. Chairman, now I wonder just what the Honourable Member knows about fish and the re-planting, re-establishing of lakes and you must have technical men in this field for the re-planting of fish for the determining of diseases in various lakes and are we going to get hung with hiring this type of help? Are we going to re-plant and all such things as this? If we take over the responsibilities, we will definitely have to in the fresh water field and this is exactly the reason I say we had better take a serious look at it because there is more to it than just going out with your fishing rod and catching a trout. These lakes have got to be restocked at times and at the present time the Federal Government has quite a development system on this particular thing and they have stocked many lakes in the Territory. If we take it over, are we going to have to plant these fish and decide where they should be planted each year? Would this become a Territorial responsibility? Now, I don't know if there is anybody here capable of answering this. I know there are people at the table willing to jump up and say something but I don't know whether they are capable of answering this question and I would doubt it very much.

Mr. Shaw: I don't understand...we have a number of Members of Council, including myself, who are asking for more control of our resources, more say in the affairs of our particular Government and I would submit that this is a resource of the country which we are asking to have more participation than in the past. As far as the technical advice, it states in this paper that the Federal Government are prepared to give us all the technical advice. I can only go according to

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Mr. Shaw continues:
this and "Fundamental fisheries research would continue to be done by the Fisheries Research Board at no cost to the Territorial Government as is the practice in other parts of Canada."

Mr. MacKinnon: What about the planting?

Mr. Chairman: Order, please.

Mr. Shaw: And, if we do have to accept some responsibilities.. if we wish to have more control, we must also accept more responsibilities. It's foolish to say that we can...we want to gain control of the natural resources of the country. We have to walk before we can run and though I do not feel that it is time, personally, for the Yukon to take over its mineral resources and so on, I do feel that we can make a small step forward in the matter of the Fresh Water Fisheries as the other provinces do. When I first rose on my feet, Mr. Chairman, all I asked or suggested was that the first step has been done where the Government agrees that we can turn this over. Now all I am asking is that now, between now and next session of Council, that the Administration look into the matter from every angle possible and present before the next Council the costs of this program, what it would involve and the revenue which would accrue and at that time the Council itself, that was in session, could then make their decision whatever it might be. I would like to make a decision now, Mr. Chairman, and take this over but on the other hand, I am not fully informed as to exactly what it will cost and I feel that this investigation must first be made so that we don't plunge into something that possibly we can't handle but I think it will be favourable when it comes out. In the meantime, I am not certain of it. That's all I am going to say on this subject.

Mr. Chairman: It now being 10:30, I believe we should put an end to this debate at this time.

Mr. MacKinnon: Mr. Chairman, I asked a question and the Honourable Member rose to answer it and went a long ways around and eventually did evade the question.

Mr. Shaw: What was the question?

Mr. MacKinnon: The question was who would be responsible for the re-planting of fish in various lakes throughout the Territory if we accept this policy?

Mr. Shaw: That I don't know, Mr. Chairman.

Mr. MacKinnon: Could we have the Commissioner then, Mr. Chairman to answer these questions?

Mr. Chairman: Mr. MacKinnon, the time is now 10:30 and we will drop the matter at this point and continue with it at some other time. Gentlemen, we will now proceed to Bill No. 9 and we have some witnesses to ask here so I will declare a short recess.

Dr. Sprenger, Chief Medical Health Officer, enters the Council Chambers.

Mr. Chairman: I will call Committee to order. We are discussing Vote No. 5, Bill No. 9, and we have with us Dr. Sprenger to give us assistance in this matter. The first item is on page 3, Administration, which you will note is now included under Establishment 506, General Health Services. So, we will proceed to page 4 of Vote 5. The No. 1 item is Venereal Disease Control, $2,500.00. Next is Tuberculosis Control, $37,010.00. BUDGET VOTE 5

All: Clear.

Mr. Chairman: Next item is Cancer Control, $26,200.00.

Mr. Shaw: Mr. Chairman, I wondered...how is this cancer... incidence of cancer? Is it more favourable now or is it getting a little bit thicker? I wonder if Dr. Sprenger could perhaps advise us.

Dr. Sprenger: Mr. Shaw, the number of patients admitted for cancer control in the year 1965 was 31. In 1966, it was 25. This does not reflect on a decreasing incidence of the disease, but the small numbers merely point out the fact that no particular trend one way or another can be determined.

Mr. Shaw Perhaps another question in relation to this... have the people that do have to have treatment...are they having a better success in treating them?

Dr. Sprenger: Yes, Sir. Research continues in the field and I can say with assurance that each year improvements in the techniques of treatment and in the preventative measures to catch the disease in its earliest incipient phases is progressing favourably.

Mr. Chairman: The next item is Mental Health Services, $71,990.00.

Mr. Watt: I would like to ask Dr. Sprenger...there have been some articles written about the care of mental health cases in the Vancouver area and I understand this is where we are sending most of our patients. Have you heard any comments on it or have any presentations been made to you with respect to the care of the mentally ill that we are sending to the Vancouver area?

Dr. Sprenger: Mr. Watt, I have read the same newspaper articles you have with some apprehension that there may have occurred recently deterioration in care but this has not come to my personal attention in the care of our own patients. I would at the moment stress that this is an internal matter in the administration of the B.C. Mental Health Service which will soon be rectified.

Mr. Watt: Thank you.

Mr. Chairman: The next item is Disease Prevention, $13,894.00. The next is General Health Services, gentlemen, on page 11, $204,555.00, as enumerated on page 12.

Mr. MacKinnon: Mr. Chairman, going back to item 504. I am wondering if it has ever been considered negotiating with Alberta mental health facilities to see if we could establish a better deal with the province of Alberta than we have now in British Columbia. I have also read the Vancouver newspapers

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Mr. MacKinnon continues:
and see where it is outrageous what's happened and I understand there are mental patients that haven't been able to see a doctor up to two and three months at a time and they are just more or less herded down the corridor and fed as a prisoner would be in jail according to the paper and I am wondering if we should not negotiate with Alberta on this particular matter.

Dr. Sprenger: Mr. MacKinnon, overtures have been made in this respect and the response has been lukewarm to say the least. I think we have to respect and be grateful for the services as supplied by British Columbia at this time and I would suggest to you that the newspaper reports have tended, in my opinion, to be rather alarmist and perhaps not entirely substantiated by fact. We have made certain overtures, as I say, to the province of Alberta to have our Yukon patient referrals accorded the same opportunities of admission to mental hospital as we now have negotiated with the Province of British Columbia and, as I say, the response has not been encouraging.

Mr. Chairman: One question from the Chair. I note that you refer in your Estimates to Oliver, Alberta, and make provision for transportation of a patient to Alberta. In fact, we are not senidng any patients to Alberta whatsoever.

Dr. Sprenger: At the moment, in practice we sent...if I am correct...one patient last year to Oliver and there were special circumstances that led to this decision. Our general practice is to use the facilities in British Columbia.

Mr. MacKinnon: Mr. Chairman, in view of the comments made by Dr. Sprenger, I would like to ask Dr. Sprenger if he has made a personal visit to these Institutes and formed a personal opinion of the procedure carried out. I am referring now to British Columbia.

Dr. Sprenger: Yes, Sir, I have. I have personally attended the Institution at Riverview Hospital at Essendale.

Mr. MacKinnon: A supplementary question, Mr. Chairman. In your own mind, are you satisfied with the present operation of these Institutes?

Dr. Sprenger: No, Sir.

Mr. MacKinnon: You are not.

Mr. Chairman: Are you clear on General Health Services, gentlemen?

All: Clear.

Mr. Chairman: The next is Child Welfare Services, $6,750.00. Next is Social Assistance, $22,250.00.

Mr. Watt: Mr. Chairman, I would like to ask Dr. Sprenger... on a vote such as 507, Child Welfare Services, do we have a percentage of this recoverable from the Federal Government with respect to native children and possibly children.....? I don't see anything recoverable there.

Dr. Sprenger: The reason for this, Sir, as I understand it, the Territorial Government does not pick up the tab for native children in Child Welfare Services but that this is taken care of by the Federal Government entirely. BUDGET VOTE 5

Mr. Chairman: Next is Whitehorse General Hospital in the amount of $6,000.00. Subsidization of Travel, Medical Necessity, $10,000.00.

Mr. Boyd: Mr. Chairman, I wonder if I could interject a question here. In the case of these indigent people...it comes under Social Assistance....and we have a Welfare Department that has a Social Assistance Department. Does any of this...in order to know what our social assistance is...welfare charges are...does it come through the Welfare Office by way of tabulation or cheques or is yours an entirely separate operation independent of the Welfare? In other words, do the Welfare know how much this certain person is costing us over and above what they are paying? Is this two accounts?

Dr. Sprenger: Mr. Boyd, the responsibility under Vote 5 pertains solely to the settlement of Medical accounts.... Medical and related accounts and the decision as to whether a person shall have this coverage is made by the Department of Social Welfare. In other words, the person is placed on the Medical Indigent List. We are provided with a copy, frequently revised, of this Medical Indigent List and it is against those names that we will honour accounts and the Department of Social Welfare is acquainted with the monies expended.

All: Clear.

Mr. Chairman: That, gentlemen, is all on the O. and M. side. We now go to Vote No. 20.

Dr. Sprenger: Mr. Chairman, have I privilege of making a comment with regard to Subsidization of Travel, Medical Necessity?

Mr. Chairman: Certainly.

Dr. Sprenger: The amount of $10,000.00 placed in the Estimate proposal is, as I am sure you are aware, a reduction in our proposed forecast by 50% and it is my contention that this exhibits a boldness on the part of the Interdepartmental Federal-Provincial or Federal-Territorial Financial Committee to which I am reluctant to be a part. It may be true that in Territorial Establishment Funds allocated, these may be transferred between primaries but in my estimation this is a poor substitute for our exercise and accurate Budget estimating. I submit that it is quite impossible to say at this early stage of our experience with subsidized travel for medical necessity whether $10,000.00 will be sufficient. I presented, I believe, substantial argument to Territorial Council at the Spring Session 1966 for the $20,000.00 estimated as necessary and with barely one year's...pardon me, with only six months expenditure figures available to the Interdepartmental Committee in October, 1966, the Members of that Committee presumably were able to look into the future with such assurance as to stipulate our over estimating on our part by 50%. Gentlemen, the expenditure incurred in subsidization of travel for medical necessity depends entirely on the number of patients requiring evacuation for medical

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Dr. Sprenger continues:
reasons and we have little control over this. I should like to recall that on the 30th of May, 1965, one emergency evacuation from Dawson City to Edmonton totalled $1,216.90 of which only $60.00 was the required individual contribution at the time. This was an eye injury case requiring emergency air charter to the outside. While it is true that the monies expended under the Medical Evacuation Plan in 1966 totalled $7,906.50 and this involved 40 patients evacuated during that year, I should submit now for your consideration that $10,000.00 may well prove an inadequate amount and I should like to suggest that if there be a compromise from the original $20,000.00 asked for in our original proposal that that compromise be placed no lower than $15,000.00.

Mr. MacKinnon: Well, Mr. Chairman, where is our good Commissioner this morning. I believe it is necessary that we have the Commissioner at the table and I realize the necessity of this and I realize the handicap that Dr. Sprenger is under at this time in regards to this small amount in the Budget but Territorial Council cannot put money in the Budget. This is up to the Commissioner and I don't think that we even have the jurisdiction of recommending additional money to the Budget but we could sure bring it to the Commissioner's attention if he was here and see what he has to say on this particular matter. Could we have the Commissioner, Mr. Chairman?

All: Agreed.

Mr. Chairman: I will declare a short recess, gentlemen.

Thursday, 11:00 am
May 4th, 1967

PRESENT: Dr. Springer - Chief Medical Health Officer
Mr. Commissioner

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Mr. Chairman: I will now call Committee to order at this time gentlemen and I believe Mr. MacKinnon had a question of Mr. Commissioner.

Mr. MacKinnon: Being involved at the present time in another urgent matter the question has left me for the moment.

MR. SOUTHAM TAKES THE CHAIR

Mr. Taylor: Well Mr. Chairman, I was very enlightened to hear the remarks of Dr. Sprenger in relation to the curtailment in his projected budget and what we see before us of some $10,000. Here is a service that should not be cut arbitrarily, it should not be cut at all. It is certainly justified as Dr. Springer has said and this is a service to the public and it has meaning not only for the people of Whitehorse but also for the people of the hinterland and the outlying districts. I think when this matter first came into being in my opinion and on behalf of those I represent in the hinterland, that there wasn't enough money appropriated in the first place but I didn't feel that the cost sharing relation to getting to town for medical aid was even sufficient but we lost that battle. I can't see us losing this one because as Dr. Sprenger has pointed out these sums are required One individual case of-be it from Ross River, be it from Old Crow or anywhere else in the Territory where to save a life or eyesight or a limb, where someone has to act fast and get some transportation facilities organised.... this money has to come from somewhere and I would like to ask Mr. Commissioner at this time if he was aware of the fact that the Interdepartmental Committee in Ottawa have seen fit to chop $10,000 from the transportation subsidy provision in our health budget, I should say reducing the initial $20,000 which we required for this year to $10,000 and I am wondering if Mr. Commissioner was aware of this and if so if the Interdepartmental Committee indicated why they felt this should be cut.

Mr. Commissioner: Mr. Chairman, this must have been done prior to my becoming involved in the discussions on the budget because I was certainly not aware of this. I say this to you and I would ask this question, possibly Dr. Sprenger has the answer, has the money that has been used for this in past years, do we have any experience of these transportation monies Doctor, to refer to?

Dr. Sprenger: No Mr. Commissioner, this is a new primary instituted following presentation of a paper on the subject at Spring session to Council last year and the commencement of this program dates from 1st April 1966. We have no previous experience to go by.

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Mr. Commissioner: Well did we not have the program going for the last 12 months, Doctor, according to what you said - 1st April 1966?

Dr. Sprenger: That is correct.

Mr. Commissioner: And do we know what the financial costs are for that one calendar year?

Dr. Sprenger: Yes Sir. The decision however by the Interdepartmental Committee on Federal Territorial relations made the decision at its meeting in October when there had only been six months experience. I have already given the figure for the year's experience to date: the portion expended under the medical evacuation plan during the past year is $7,906.50, and I would point out for your careful consideration that this new provision for subsidizing of travel for medical necessity is only now beginning to become generally known to the public and increasing resort to this provision may be expected over the next year or two.

Mr. Commissioner: Well Mr. Chairman, this is something, Doctor, I don't know whether you know the history of this area but Councillor Shaw knows the history of this and I am sure that it would have been pointed out when the discussions were up here in Council last Fall. Now this minimum subsidy for the required medical travel has been something we have been trying for in the Territory for I would suggest about 8 or 9 years, and I was not only happy to see that we were involved in this thing but I also felt that it put us in the position that there was no more of this question of ability to pay for more, which in one or two instances was put up as a reason why aircraft charter had to be guaranteed by the Territorial Government. Now I don't know just exactly how to answer Councillor's question on this. I think I have answered the question regarding my lack of knowledge on this because if this was done at their meeting in October this was prior to my being able to sit in on these meetings and know what was going on in them. I say this to you, that if this program has been approved, and it must have been approved or it wouldn't be here, the fact that we are providing monies that are questionable as far as total cost is concerned is no indication that once that $10,000 has been expended that there will not be any further funds for it and I think the only thing we can do is to vote the $10,000 in the full knowledge that we will simply have to use further funds if the necessity calls for them and ask Council to give us the necessary authority in supplementary estimates. And I see no alternative until we have had a few more years' experience under our belt to prove our point to the Interdepartmental Committee that we do in fact need more originally voted funds.

Mr. Taylor: Mr. Chairman, this does raise one problem and that comes back to this business of the habit Administration has of transfer by allotment. Dr. Sprenger pointed this out earlier this morning that were it necessary to transfer - in other words to rob Peter to pay Paul, something else would go awhack in his budget and I think this should be understood.

Mr. Commissioner: No, this doesn't enter into Dr. Sprenger's budget. When we have to when we have to expend monies this comes under the contingencies fund and is provided for elsewhere in the Territory. VOTE #20

Mr. Taylor: Mr. Chairman, further to that, again it is a pity that we have not got this so-called agreement made up by the Interdepartmental Committee and it is a pity that we had not an opportunity when in Ottawa to be aware of this and to put up this argument to them and ask them why they have cut this and it shows the futility that Councillors must feel - certainly I do - in dealing with matters such as this when you are there and you have an opportunity of discussing this very subject and you have no knowledge of it, and it makes it pretty bad. But here again too, very significant about such things is the fact that the Interdepartmental Committee so many miles away in Ottawa, arbitrarily chop things out of the budget, not only this but dust control. I've got lots of letters and so forth on dust control already - letters of hot complaint on the situation, and Ottawa chopped that one off, and yet at the same time they say we want you to increase your taxes in the Yukon, and it seems a little odd that they would chop off services and ask for increased taxes. So I certainly hope the Administration would at least allow this department to operate under this establishment to what they estimated before, the $20,000, or cover it in supplementary estimates.

Mr. Commissioner: Mr. Chairman, when you are going to implement a program of this nature it is practically impossible to stop a program in the middle of October because you have run out of money. You can't tell somebody who is lying in need of medical care at some remote point in the Territory that the program is pretty nice but we ran out of money. Now there are some things you can do but I'm sure Dr. Sprenger would agree that when you institute a program of this nature you institute it in the full knowledge that it is going to cost an unknown number of dollars. Now over a few years of experience you will find out exactly what that number of dollars is going to be but until you have that experience you have to be prepared by one means or another to make the necessary funds available to give effect to the program.

Mr. Taylor: Mr. Chairman, again it seems, whenever we get bottled up in these affairs Mr. Commissioner, we always say well we'll just have to cover it in supplementary estimates, and I agree with you but I would like just to quote Annotation 240 of Beauchesne which states: "Supplementary estimates, when treated as customary and as a matter of course, instead of being restricted to occasions of unforeseen contingencies, do more to destroy effectual parliamentary control than any other indirect method that could be devised." And here is the problem, and I think Dr. Sprenger has used a very valid point here; how can you forecast the budget and properly (inaudible) a budget if you've got to go into situations such as this? You can't base it on supplementary estimates in the hopes that maybe you will be covered. Just how do you do it? And he raised a good point here, some other system has got to be found, because I certainly don't think this is acceptable.

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Mr. Shaw: Well Mr. Chairman, I think in all fairness I can understand one section of this. As the Commissioner has said, for years we have been trying to get this implemented and up until last year - this has been going for two or three years - but up until last year - and I certainly endeavoured Mr. Chairman because I publish a paper that I send to all of my constituents in which I give them information, and I could never get lucid clear policy on this until last year. Before that it was somewhat ambiguous as to what assistance could be given. As a result the people were not aware of the advantages that were available to them under this program until last year and I suppose that the money men in Ottawa, looking through this, they would not know possibly all the ramifications and intricacies that went into this as a start of a program and therefore based it on past expenditures which is in most cases I believe the only way they can forecast for the future. It is a tremendous thing. I think Dr. Sprenger mentioned about a child in Dawson. Well that was where some children were playing and they had bows and arrows and one child looked up and an arrow came right down in his eye - shades of the Battle of Hastings I believe - and that was a wonderful thing that the child could immediately get transportation to medical attention; it was a wonderful thing for the child, the parents and the people in the Territory, so that I would feel in these particular instances that a supplementary estimate would be in order and I would be very satisfied with what the Commissioner has said, that he feels certain that this won't be cut back. And at the same time I would also mention Mr. Chairman that the people themselves, if they are not Indians, still have to pay up to $100 on their costs and expenditure, so this isn't something that would be taken advantage of, it is something that is very very good and it gives fairly equal care to all people of the Territory, or makes it available to them, at a fixed cost and I feel certain if it is put in supplementary estimates we will be in business.

Mr. Watt: Mr. Chairman, I agree with the establishment and the way it is being used and I can see why it was cut back if after six months it hadn't been used too much, I can understand the Departmental Committee thinking this wasn't a realistic figure. But Dr. Sprenger has certainly satisfied me that it is being used more than necessary and particularly this year with the additional mining that's going on, there are more liklihood of accidents and serious accidents with machinery, and I would like to ask Dr. Sprenger if the Commissioner's explanation is satisfactory with respect to this at this time, and I think the whole Council would concur with the explanation that you have given us and we certainly all agree with the establishment number itself - we had a lot to do with helping set this up-and are the Commissioner's explanations satisfactory?

Dr. Sprenger: Yes entirely Mr. Watt. I thank the Commissioner very much for his advisement of the situation.

Mr. MacKinnon: I think that the question that I had for the Commissioner has been well covered and I will have no further questions.

MR. TAYLOR RESUMES THE CHAIR

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Mr. Watt: Could I ask Dr. Sprenger one more question? If he has the figure in the estimate, what is the cost of operating - the maintenance and operation per patient day? Now I understand we pay $25 a day per patient. What are the actual costs?

Dr. Sprenger: At the Whitehorse General hospital the actual per diem cost is - and I quote from memory - $43.

Mr. Watt: Thank you.

Mr. Chairman: Are you clear gentlemen?

Committee: Clear.

Mr. Chairman: Now we will proceed to Page 9, Vote 20 under Health. The first item is General Health Services: $198,800.

Mr. Shaw: Mr. Chairman, under this establishment, mobile X-ray and dental units, will those take the place of the one that used to come from Edmonton each year?

Dr. Sprenger: Yes and no Mr. Shaw. This unit perhaps will be the Yukon's own resources rather than having to import the mobile unit from Edmonton or Vancouver.

Mr. Shaw: What I mean Mr. Chairman, this is the same kind of a vehicle with a generator and all this kind of stuff? Is it suitable for that?

Dr. Sprenger: This is correct.

Mr. Chairman: Are you clear on $33,416 for Whitehorse zone?

Committee: Clear.

Mr. Chairman: The next item is Teslin Health Centre: $34,700.00?

Committee: Clear.

Mr. Chairman: The next item is Pelly Crossing: $12,880.

Committee: Clear.

Mr. Chairman: Next item is Carmacks: $9,719.

Committee: Clear.

Mr. Chairman: Next item is Ross River Nursing Station: $83,280.

MR. SOUTHAM TAKES THE CHAIR

Mr. Taylor: Mr. Chairman, I might say that the final development of this adequate facility in Ross River is very much appreciated, more so by the people there than anyone

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else of course, but all of a sudden, as per usual, there has been a question arising, I think Mr. Commissioner was present in Ross River when these people expressed their great concern that possibly the Federal Government might take this away from Ross River and plonk it down at Anvil and this is something that they would be very pleased to see not done. I am just wondering if Dr. Sprenger, if it's within his power to do so, can assure us that this will in fact be not taken away and put at Anvil and it will be constructed at Ross River this summer.

Dr. Sprenger: May I refer this question to the Commissioner for the proper answer, or with the Commissioner's permission I will answer it.

Mr. Commissioner: Well I am preparing a paper for Council so you are perfectly at liberty to go ahead, because my answer in effect, is the content...

Dr. Sprenger: Mr. Taylor, I must advise that at the present moment I find it impossible without more concrete factual evidence of mining and population centre development plans in the Ross River area to forecast specifically when the nursing station will be located. We are endeavouring to keep our outlook as flexible as possible to be in a position to respond quickly to the needs of the greater centre of population development and potential, whether this will occur at Ross River settlement or at an open townsite at a distance removed from Ross River settlement. The item of a nursing station at Ross River should in this context read "Ross River area" in my opinion and I can only outline for you what we are at the moment doing at Ross River settlement. Northern Health Service maintains a health station facility at Ross River settlement, provides on a visiting clinic basis a public health nurse twice a month with a Doctor in visiting clinic attendance once a month and appoints a nurse-dispenser to act in emergencies who is resident in Ross River, and furnish local health resource contacts. In addition occasional visits by the Whitehorse-based community health worker take place. The health officer from Whitehorse is responsible for sanitation control. My careful current estimation of potential population increase in the Ross River settlement during the 1967-68 period leads me to believe that it may be necessary to extend the length of stay of the visiting public health nurse to two days in each of the bi-monthly clinics, but it is my opinion that additional provision of health services including finalization of proposed plans to locate a four-bed nursing station facility in the Ross River area must await definite and factual evidence of increased need. As I said earlier, at the present time we shall maintain a financial and planning flexibility in accord with the situation as we view it to the best of our information and capability. I hope this answers at least in part your question of me Mr. Taylor.

Mr. Taylor: Mr. Chairman, I got the answer all right and it's one that's been rumoured. This is the first time anybody's really got up and spoken out. I don't know

where to start or what but I might say that we have been a long time trying to get a permanent nurse in there and to get something better than what we have got. We've got a log building that we put in some years ago, if it doesn't float away this Spring which it very well could it may be there for the balance of the summer. This Ross River nursing station was initially designed to assist the native population as well as it was the white population and I submit to you gentlemen that there will be little or no native population at the townsite of Anvil and that Anvil being considered an open town will consist only of those people in the Anvil development and I very much doubt from what I've learned that there will be any native population there whatsoever, mainly because the natives do not wish to go there. I might also say that the Ross River area is developing. There are presently over 300 people there; it is expected that the area, exclusive of the Anvil area, will consist of some 1200 people in it this summer. It is also recognized by that community that it is very difficult to have people come and settle in the north unless they have both education and medical facilities for their families and one way you develop the north is to provide these facilities and then people are not as reluctant to leave the Territory and move to other places as they would be without these facilities. People have put up many good arguments - I feel it is certainly justified that they have a permanent nurse and a four-bed nursing station there. They deplore the fact, and as a matter of fact I think it was the very first question, Mr. Commissioner will agree, that was asked at the public meeting that was held, was do the Territorial Government feel as the Federal Government do, sort of a thing, that there is a great detraction from Ross River being forced upon them by the Federal Government. Do the Territorial Government feel this way too, that they will build everything up at the Anvil mining town rather than down at Ross River and they were given the assurance that this was not the case. However, every time we get something - the Upper Canol Road was one and that's been delayed now for four years - and this is all because somebody in the Government thought maybe we will put a road over to Anvil and we won't have to go through Ross River. And it has been a constant battle on the part of these people to attempt to convince the Governments at both levels that in fact Ross River is the geographical centre. I might in this instance also point out to you that the firm recommendations of all concerned in the Territory to the present committee studying roads is that the Upper Canol Road be continued from Ross River and this is the important key communication centre for that Ross River area. There are crews out, 60 and 70 men to a crew, working in that Ross River area and all is not Anvil. Anvil is a large development, a very substantial development, but it is going to be, whether you call it an open town or not, a town strictly composed of Anvil people. The balance of people will be in the Ros River area, and there will be a little town by each of these developments, but the key centre is going to be Ross River and we desparately need that nursing centre and I feel that if the Federal Government want to live up to their agreement with the Anvil Mining Corporation, and I feel they should, then they should provide additional funds to build another... actually I don't think they need a nursing station there, I think they need a hospital because that is going to be an instant municipality

EXIT Councillor Watt

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just like the municipality of Whitehorse and no doubt there will be nothing in the records to indicate that anyone else but Anvil employees will be the mayor and council of that municipality as well. Consequently I say to you gentlemen on behalf of the people of that area, we need that nursing centre, we need it today and in order that construction can be undertaken as programmed here in our budget, that this program be embarked upon at the earliest possible moment so that it can be completed so that native and white people alike at Ross River can enjoy this facility. If it is placed anywhere else they cannot enjoy this facility.

Mr. Boyd: Well I haven't been to Ross River in a while but I think the Administration's explanations make a lot of sense and I don't want to be committed to anything really, until Administration are prepared to come and make up their mind and and say what it was to be. Then we have got something to talk about. Right now nobody really knows where it should go and they are studying this. This to me is common sense.

Mr. Thompson: Mr. Chairman, I can only agree with Mr. Taylor, that this is something that the community has needed for some considerable time and if every time a mine is going to open, or there is a prospect of one, we are going to withhold projects in other parts of the Territory I can see nothing but lack of expansion. From what I gather the program for the people of the proposed Anvil townsite will be blessed by the Federal Government and if they so would like a hospital or nursing centre I can see there will be no problems in getting one. I think with the number of submissions that have been made and the backing of Council that the member has that every effort should be taken on the part of the Administration to see that this program is implemented in the place where it is suggested this summer.

Mr. Chairman: Anything further gentlemen?

Mr. Taylor: Well my final remark would be that I certainly hope to God that the Federal Department of Health and Welfare will reconsider this matter, otherwise it's kind of pointless voting the money but as I say I hope they will reconsider this matter in view of the remarks given here today, and endeavour to get the construction underway at the site of Ross River this year.

Mr. MacKinnon: Just to clear my mind I would like to ask Mr. Taylor what is the present population of Ross River.

Mr. Taylor: Well Mr. Chairman, I just gave the figure a few minutes ago. It is roughly 300 and approximately 1200 are axpected in the area this summer, exclusive of the Anvil. Anvil is about 50 or 60 miles away.

Mr. MacKinnon: Mr. Chairman, one supplementary question: this would be quite an increase from the time of last election. These are not regular constituents in that community are they Mr. Taylor? As I recall the results of last election there was not too many voters in the Ross River area at that time. Have these people all moved in there since that time Mr. Taylor?

Mr. Taylor: Well some have, Mr. Chairman. The Indian Affairs people tried to encourage the people of Ross River to move out to Upper Liard and in fact many people have (inaudible) but slowly the people have been slipping back and the community has grown. There is the increase in mining in the last three years and this is why the permanent residency of Ross River is around 300 and the expected increase in summer will be to 1200. The number may drop back in the Fall, it largly depends on what facilities are available, such as this health station, and I know we're adding one more class room in the school to bring it up to three classrooms.

Mr. Commissioner: Mr. Chairman, I wonder roughly what portion of that population would be of native status, do you have any idea off hand?

Mr. Taylor: I do not have the figure at the present moment, but a goodly portion of it.

Mr. Commissioner: I think Mr. Chairman, Dr. Sprenger has the figure.

Dr. Sprenger: Mr. Chairman, the native population of Ross River at the present time is 165. It is anticipated that two families will move back from Upper Liard to Ross River this summer bringing the total native population as near as we can estimate it at this time to approximately 170 people. If I may go further it is anticipated that there will be approximately 100 white people in the Ross River settlement this summer; about half of these will be out in the bush. At the moment at the Anvil camp there are 60 workmen and the total anticipated population at this camp this summer of 1967 is given to me as 100. At the mill site camp, at the crusher site, it is anticipated that there may be up to 100 workmen. At the proposed open townsite there is of course nobody at the moment and while it is rumoured that there will be construction of family units there this year the population that this will bring to the open townsite area will consist solely of construction crews and in my opinion should not be in excess of 100 people. I have these figures from an on-the-spot visit on the 10th April, 1967.

Mr. MacKinnon: Now Mr. Chairman, this moreorless clarifies the situation. Mr. Taylor's speaking in terms of 1500 people, 1200 plus the three that was stated that were already there. Now actual native citizens, and Mr. Taylor has also clarified this, that it's mainly native - 170 people - plus another 200, which would make 370 people all told, and the proposed new townsite which would be a long distance I believe from talking to the engineer of the mine, from there, this would put it very close to the same category as Pelly River at the present time, very close population-wise. This is the standing population of the community that we are speaking of - 170 people from that village.

Mr. Taylor: Mr. Chairman, Dr. Sprenger has some figures but they're certainly not complete. My figures surround the activity now, and involved with what's coming this summer, he said there would be 100 people in and around Ross River this summer. Well this is absolutely incorrect,

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because I know just one syndicate alone has 60 personnel, that is the Atlas syndicate who have the geo-chem. lab facilities at Ross. They have 60 alone and a sub-syndicate of theirs will have 30, so there's 90 men and we've only talked about one company and there will be 30 to 40 companies active no doubt in the general area of Ross River this summer and again it's exclusive of Anvil and its development.

Mr. MacKinnon: Well Mr. Chairman, in view of the medical situation I think that the administrative end has a very very true and clear picture of the facts and I would like to go on record as saying that I go one hundred per cent with the recommendations made by the medical department and I believe that they are in very very close contact with the needs of these various localities and the figures that Dr. Sprenger has just given us is a very very true picture, that they are right on top of the situation and therefore I am quite in favour of working along with their recommendations.

Mr. Taylor: I would like to ask a question of Dr. Sprenger just as a point of interest. I know when we had all this trouble years ago in Watson Lake, we first developed our own hospital, which of course was taken away from us, and then we appealed to the Red Cross and we got a lot of equipment which then again was taken away from us and we eventually got some facility there. Do Red Cross still provide nursing centres if one requests them from charity, if the Government doesn't install them?

Dr. Sprenger: I can't speak for the Red Cross Mr. Taylor, I don't know.

Mr. Shaw: Mr. Chairman, could I direct a question to Dr. Sprenger? If for example this increase we are going to have - 1200 people in Ross River is a lot of people, and if that were the case would you then proceed with this insofar as the amount this year, if this population was going to increase beyond what it is now?

Dr. Sprenger: If I take your question to mean that if there were 1200 people there in Ross River settlement at the moment would the nursing station be located there, and the corollary to that assumes that there were not 1200 people 32 miles away at the open townsite, then I need hardly confirm your leading question that the nursing station facility would be at Ross River settlement.

Mr. Shaw: Well Mr. Chairman, I didn't know this other town was 32 miles away, I thought it was about 100 miles away, I'm not acquainted with that particular area. But I was just asking if there were 1200 people they would need more than what you have at present, they would require more facilities.

Dr. Sprenger: Most definitely yes, Mr. Chairman.

Mr. Commissioner: Mr. Chairman, could I ask Dr. Sprenger a question? Supposing we have, not necessarily Ross River and Anvil, I mean anywhere in the Territory, any

part of your jurisdiction, in the face of economic developments the way we are now, we are liable to have quite a few instances of where at the moment there are small centres of population which possibly just in a matter of a few weeks could blossom forth into fairly substantial communities. How much flexibility do you have in your operation to be able to take care of situations of that nature. I mean are you a year away from doing anything for a situation like that, are you within three months of doing something about it? What is your area of flexibility in a situation like this? I am not talking about building a 20-bed hospital, I am talking about providing minimal nursing station requirements? BUDGET: VOTE #20

Dr. Sprenger: That's a good and important question Mr. Commissioner. The time lag between planning and commencement and opening of a facility is generally taken to be at least one year and this is why the Ross River nursing station has been placed in this year's estimates because it must be recalled that these were first proposed a year ago with a good deal less substantiation at that time for the potential development of the Ross River area, and yet we felt that we required to evidence the greatest flexibility possible should this take place and provision of the money in this year's estimates has gone as far as we can go to provide this measure of flexibility and an up-to-date situation report suggests that the nursing station facility will probably not be required this year; on the other hand it has been exceptionally wise, I think you would agree, to have this money available in case there should be this sudden burgeoning of population in the area.

Mr. Commissioner: One further question Dr. Sprenger. I see that we have mobile units going to be made available for dental treatment and I see we have the mobile units that have been used for many years in connection with TB X-rays. Do we have available - I'm not talking about here in the Yukon - but do you have available from other points in Northern Health Services, mobile units that if the need arose these could be made available for nursing station purposes?

Dr. Sprenger: Yes Sir.

Mr. Commissioner: We do. Roughly speaking, supposing we found that we had a need and one of these units was available, say it was within a day's travel of Edmonton - we'll say it's a point in the Northwest Territories - but it is available. What would you say then as far as lead time is concerned on getting this in and getting it staffed? Would this be something that could conceivably be done within a month's time or something of this nature? Is this a reasonable time element?

Dr. Sprenger: No Sir, I would say six months to a year again, because of the necessity of recruitment of staff, the problems of hooking up to a water supply and establishing the so-called portable station to efficient operating status in the chosen community.

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Mr. Commissioner: So in other words Doctor, our minimum room for manoeuvre as you see it to take care of any emerging situation would be six months.

Dr. Sprenger: That is correct.

Mr. Commissioner: Thank you Mr. Chairman.

Mr. Chairman: Anything further gentlemen?

Mr. Shaw: Mr. Chairman, I thought we were better equipped in Canada for emergency situations such as this with mobile units. This mobile unit deal really floors me because it seems like anything that will move with a 20-ton truck, if you can move it at all they call it a portable unit and it's not portable at all, it's just a large... it's portable in the sense that if you've got gosh knows how much money you can move it . For example, these campers, 36 feet long and 11 feet wide, whatever the regulation size is. I thought that in many instances in many parts of the world they had such units that they moved in practically at a moment's notice and set them up and they had the facilities, not permanent facilities but they can be utilized and within the time it takes to transport them.

Dr. Sprenger: Mr. Shaw, I think we're talking about two different things. There is within the framework of the Federal Government the opportunity to invoke the services of emergency health services where there is a mass casualty situation or a disaster situation. I believe you are confusing this capability with what we are talking about here today, namely the establishment of a nursing station for public health and treatment purposes for a remote area.

Mr. Shaw: Well what I am thinking about Mr. Chairman, we will say in the Yukon Territory we had three or four units or three or four pieces of equipment on wheels, that when you hauled those to a certain area you had a portable nursing station or emergency hospital or anything else, whatever you call it, that can be moved around, we will say perhaps to Ross River - well if it had a requirement for service. Then later on if this place expanded and it was necessary to put in a nursing station, we put in a nursing station and cart this thing out and it could go up to Carmacks or Pelly or any other place. A unit such as that that's really portable and can be moved right at a moment's notice. There's no provisions for anything like that at all.

Dr. Sprenger: Our concern here today Mr. Shaw is the planning for health facilities in rapidly developing population areas. This should not, again I stress, be confused with the emergency health services capabilities and planning in the case of disaster.

Mr. Shaw: Well Mr. Chairman, I am not referring to disasters, I am referring to a facility. In other words you have an emergency operating table in this and you will have places for beds and quarters for a nurse to live in. It's something that's not permanent, it's something that can be moved around until, for example here we have Ross

River - well there's conflicting reports on the population in Ross River. It looks like they will need possibly more than what they have, so a unit like this could move into an area like that and if you required expanded facilities, that could sit there until the next year when you could build a more permanent structure and move this one out and keep it in reserve for some other place. Wouldn't this be a good unit to have, not for emergencies for normal... where the nurse comes around.

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Dr. Sprenger: If you will refer to items C and D, this is exactly what we are planning for at Pelly and Carmacks. These in truth are portable health stations and are so designed to be moved should population centres change. If one population centre, for example Pelly Crossing, should decline and the population move on 30 or 40 miles away, it is quite feasible for such a portable health station to follow the population, but what we are talking about at Ross River is establishing a facility of much greater scope than a simple health station. We already have a health station, not a portable one - a log building at Ross River and at the present time this is adequate in terms of the services that we are now offering as I outlined earlier. With a rapid increase in population, either at the townsite or at Ross River settlement or elsewhere, of course our log building is of no use whatsoever. It could be that some sort of portable health station would be required wherever that population development occured to fill the gap until such time as planning again provided for the definitive facility.

Mr. Chairman: Well gentlemen at this time I see we are going to have quite a bit more discussion on this and I will call a recess to 2:00 pm.

RECESS

VOTE #20

Mr. Chairman: Gentlemen, I will call Committee back to order and we are discussing Establishment 2502, Department of Health; we are on E - carry on gentlemen.

ITEM 2502

Mr. Taylor resumes the Chair.

Mr. Chairman: The next item, gentlemen, is Watson Lake M.O.s house and clinic in the amount of - $56,000.

Dr. Sprenger: Mr. Chairman, I interpret this to be $52,000 for the buildings and another $4,000 to a total of $56,000 for buildings and equipment. The Territorial share being 47.7% of that.

Mr. Boyd: What page are we on?

Mr. Chairman: We are partially on nine and partially on 10.

Mr. Boyd: Mr. Chairman, are we on 2502?

Mr. Chairman: To a total of $24,805.00.

Mr. Boyd: I don't see it that way, down below gives you a summary - Federal share is $102,000 and Territorial share is $198,800, a total of $301,000 for the project.

Mr. Chairman: Gentlemen, that was what I thought, that is what confused me too. The next item is 2503, Dawson City Cottage Hospital - $600,000.

ITEM 2503

DOCTOR FOR DAWSON AREA

Mr. Shaw: Mr. Chairman, in respect to this may I enquire if Doctor Sprenger is having any success in recruiting a doctor for that area?

Dr. Sprenger: Mr. Shaw I am very pleased to announce on behalf of Cassiar Asbestor Corporation that the most recent information I have, a doctor has been recruited to become resident in Dawson City as of the 1st July, 1967.

Mr. Shaw: I wish to thank Dr. Sprenger for his advice and the amount of work he has gone into in trying to obtain a doctor. It is very, very difficult to obtain a doctor and I am certainly very, very happy to hear that.

Mr. Boyd: Mr. Chairman, there was controversey as to whether or not Clinton Creek or Cassiar was going to invest in some of this hospital and also whether it was going to be built in Dawson or Clinton Creek. Has this all been cleaned up and has it really actually been decided that it will be in Dawson City and on what basis does Clinton Creek participate.

Dr. Sprenger: In answer to your question, Mr. Boyd, I believe that the construction of the new Dawson City hospital will be financed by the Territorial Government without subsidy from Cassiar Asbestos Corporation although I also recall that a recommendation went forward that Cassiar Asbestos Corporation participate in financing of that particular construction. As far as I know this is not being pursued and I believe the grounds for not pursuing this were that Cassiar Company had shown co-operation in other areas which rather nullified our pursuing the matter.

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Mr. Boyd: One more question. In view of the population of Cassiar at Clinton Creek will they be required to have a doctor within their camp?

Dr. Sprenger: Under the camp medical care regulations this will not be a requirement since the camp medical care regulations stipulate a distance of 200 miles from a hospital has been appropriate, if necessary, and subject to the concurrence of the Chief Medical Health Officer for the Territory.

Mr. Chairman: Anything further on this item, gentlemen?

All: Clear.

Mr. MacKinnon: Mr. Chairman, I would like to ask the member from that area if he feels the appropriate locality for the hospital is Dawson City?

Mr. Shaw: Mr. Chairman, I can't think of a more appropriate locality.

Mr. MacKinnon: A supplementary question Mr. Chairman, is the proposed locality out of the flood disaster area? I think this is of vital importance.

Mr. Shaw: Mr. Chairman, if the building is going on where I understand it is, namely somewhere around 6th Avenue and north of the Catholic Church, I would assume it would be out of the flood area, unless something happens, some natural catastrophe should happen that has never happened before. I would say normally it is.

Mr. Boyd: Just a matter of curiosity - knowing the formation of the ground being frozen, I assume there will be no basement or anything like this - it will be sitting on piles and whatever is used in a basement to overcome (inaudible).

Dr. Sprenger: These matters are in the hands of the architect and I don't feel confident to answer them.

Mr. Shaw: I would say Mr. Chairman, that Mr. Boyd's assumption would be correct (inaudible).

Mr. Chairman: Gentlemen, this concludes the items involving the Health Department. At this time may Doctor Sprenger be excused?

Mr. Watt: Mr. Chairman, I have one question I would like to ask Dr. Sprenger. In the preparation of this budget has there been any change in the Territorial share of the Capital costs- I recall when we went through our last Five Year Agreement the Capital Costs were discussed in the Northern Health Service section of the Five Year Agreement of the Northern Health Service Plan and has there been any change with respect to the Territorial share of Capital costs?

Dr. Sprenger: Not to my knowledge, sir.

Mr. Watt: It seems to me that the Northern Health Services paid a larger share of Capital Costs.

Dr. Sprenger: It is my understanding this is pro-rated on the basis of the number of natives in each area; that being then a Federal government contribution and the remainder as taken from the 1961 census being the Territorial portion. I am aware of no change in that formula.

Mr. Thompson: I have one question that I would like to direct to Dr. Sprenger. In my three years at the Council table you are the first Department Head, or under this new re-organizational set-up, a Director, reporting to the Executive or Executive Assistant who has intimated to Council that certain proposals in your original submission to the Government have been deleted. I'm wondering if there are other programs that your Department had planned that have received like treatment - and if you care to enlarge on them.

Dr. Sprenger: Mr. Chairman, I wish to thank Mr. Thompson for the opportunity that his opening remarks allow to draw to the attention of the honourable members deletions from our original proposals contained in what was then considered the Five Year Health Plan and I might outline three or four of these and specify one which I wish to contest at this time. One item which was deferred, which is another word for deleted, was the proposed new construction of a hospital at Watson Lake. Another is a cut in proposed increase in staff. This is medical public health nursing and so on staff from proposed 29 to an allowed increase of only 15; another deletion was a proposal for periodic health examinations at specified ages commencing at the age of forty-five; a very worthwhile proposal in my opinion and one which was fought hard to retain but without success, and the item which is particularly dear to my heart is the deletion, on the authority of the Inter-Departmental Committee on Federal-Territorial Financial Relations, October meeting, as to a portable Health Station at the Whitehorse reserve area. A portable Health Station is required at the Whitehorse Reserve for the following reason (1) the distance involved in travelling from the village to the hospital. This is a very long walk and the taxi fare for the individual native or other resident in the area is, in my opinion, prohibitive, being approximately $5.00 per round trip. I feel that this distance from health resources plus the cost of transportation is detrimental to the general health of the community. It has been our experience that parents do not bring children back to the hospital to see the doctor following hospitalization when a doctor asks for a recheck examination. Older people obviously cannot walk the distance and many older people require eye examinations, hearing checks and so on and these cannot be done in the home or in our present accommodation. Our public health nurses are on the Whitehorse reserve at least three times a week doing home visiting. Added to these visits are a number of calls received after hours and on week-ends from people who cannot afford a taxi. If there was some place to hold a proper clinic, we could arrange to be on the reserve at certain times on certain days and this should cut down on the extra calls. The present accommodation is woefully inadequate, being the basement of the Roman Catholic Mission. About all that can be said for this accommodation is that it is a warm shelter. The drawbacks being general uncleanliness, the toilets do not work, there is no running water and the same hall is used to show films and so on and there is no provision for a caretaker. The lighting is atrocious, the windows are boarded up to show movies and in the hall there are only three single light bulbs. The premises consist of one large room and a very tiny kitchen. It is the latter which we use as a clinic room as it is right next to the furnace and is the only truly warm room. I would

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WELFARE

Dr. Sprenger continues...

suggest here that we cannot progress to give proper health coverage to this area without provision of a proper portable health station which would provide a centre for our community health worker as well as a coun elling situation for the public health nurses to work. It is impossible for a public health nurse to counsel a mother properly when there are twenty others listening. The native people have demonstrated in the past that they are far more cooperative about bringing their families to clinics on the reserve than bringing them to the hospital. It is our experience that they will bring one child up to the hospital, the child you ask them to bring, and leave two more at home with discharging ears or impetigo. However, it is also our experience in other areas that they will bring the whole family to a clinc on the reserve. In conclusion I should like also to draw to your attention the fact that there is no sidewalk along the two mile hill. This is extremely dangerous. Many young native girls who might bring children over to the hospital who are ill hesitate to do so because of the dangers involved in walking over to the hospital. We have approached in the past. We have approached in the past Indian Affairs and have had their offer to provide clinic accommodation in the Community Hall but their budget was cut and it now appears that a community hall will not be in the planning in the near future. Gentlemen, thank you for listening.

Mr. Thompson: Mr. Chairman, this is quite enlightening. I think with facts such as these Council would be in a much better position to lend their weight to further projects such as have been enumerated here. And I think this may be a fair indication - as I say nobody else has intimated or have even - they have not even intimated what programs have been cut, be they of a capital nature or operating and maintenance side, but if this is an indication there must be quite considerable cutbacks that the Federal Government have instituted. I'm just wondering if in an instance such as this - you say, or quote a date of last October on these Inter-Departmental discussions - was this the date that you were aware of the cut-backs for your proposed program?

Dr. Sprenger: It was subsequent to that date.

Mr. Thompson: What I'm endeavouring to say is that had this information conceiveably been available to us prior to our trip to Ottawa we might have been able to lend some support to such a program, or the inclusion of these items that have been deleted in view of the non-signing of any fiscal agreement at this time and I am wondering, in the light of what you have said, whether it would not be an idea to make Council aware of some of these deletions and some of the current problems not only in your own Department but in other Departments whereby Council could conceiveably lend their assistance.

Mr. Shaw: Mr. Chairman: I don't know all the facts of the situation existing, how many people and so on, but I would feel that it would be a very good thing if one of the Whitehorse members, more particularly the member affected, would endeavour to ascertain all the facts concerned with this and at the same time we could be in a position to introduce a Motion to that effect to explain any questions that may be asked and it would appear to me he would get Council's support (inaudible).

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Mr. MacKinnon: Mr. Chairman, I note the Commissioner in the Gallery and possibly we should have him at the table at this time.

Mr. Watt: Mr. Chairman, I would like to ask Dr. Sprenger if you had a report you were reading from or a letter, and if so, who was it sent to?

Dr. Sprenger: The communication from which I drew my facts is dated 10th January, 1967, and is from my Acting Zone Supervisor of Nursing, drawing my attention to the deplorable inadequacy of facilities in that area.

Mr. Watt: I would like to ask Dr. Sprenger if this was sent, copy of this was sent to the Department of Indian Affairs and if so, if he knows whether it went beyond Whitehorse?

Dr. Sprenger: A copy of this communication was directed to my Regional Director of Medical Services in Edmonton; a copy was not referred to Indian Affairs Branch in Whitehorse but discussion was held with that body.

Mr. Watt: Thank you Dr. Sprenger. And I certainly agree with the outline that has been submitted there and the conditions, the squalid conditions that are in this particular reserve area. I brought this up to Council several times with respect to water and simply a well took us almost several acts of several Ordinances to even get them to look at the possibility of digging a well to try and get a little swamp-free water in this area and I would like to suggest that we take our Votes and Proceedings from today and send them directly to the Department of Indian Affairs in Ottawa to the Minister in charge there. The Council has been trying to do something about this for some time and this is the clearest statement that I have ever heard with respect to the conditions from the qualified people that are able to make statements or studies such as this and I think that while we have this and the whole Council is supporting this we should get this information to people who can do something about this. If Council does not wish to do so I will get extra copies of today's Votes and Proceedings and have them sent myself.

Mr. Boyd: Mr. Chairman, I have been sitting around now as Councillor for two terms virtually and have never heard of any of these kind of things and I am surprised - like today we would have never known anything unless there was one Councillor smart enough to ask. And I think deals of this kind are the Councillors' interest - that is what we are elected for and I think they should get into our hands so that we at least know what is going on. This is one fault about this whole organization with Councillors - we come and sit down here and we wrangle over Civil Servants categories. And here is a thing like this that they don't even tell you anything about. And I think Administration has got to get down to the fact that we as Councillors have got to be told so we can see if the people's interests are taken care of by we, elected members, not by a bunch of Civil Servants sitting in Ottawa, or wherever it may be. This is all I want in this case. And another thing I was wondering about - failing of coming to the Councillors as a whole - certainly something should have got into the hands of the Finance Committee when they meet with Administration so the whole to me - I want to see more of this coming to Councillors, elected Councillors so they have a chance to serve the people because there is no

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Mr. Boyd continues....

way of knowing what is going on unless something like this happens - it just has got to take place.

Mr. MacKinnon: Mr. Chairman: I don't quite agree with Mr. Boyd: I'm quite well aware of what is going on and I think he should be too and so should the member that represents that particular area. I'm quite well aware of it and have been well aware of it and I'm quite certain that Mr. Watt is well aware of the situation and we did make a public issue of it about a year and a half ago - four sessions to be correct when we took up the water situation in the village. We can't say this is something that has happened and we know nothing about - we know very well this has happened and I think that is a ridiculous statement. We are elected members, Mr. Chairman, and if we don't know what is going on in the native villages then who should? I think this is a ridiculous accusation to make that we expect the Department of Health to inform us as to what is going on in the Territory because who should know better than the elected member what goes on in his constituency and I would just like to hear the honourable members comments in regard to this.

Mr. Smith: Mr. Chairman, could I say just a word in connection with this? I would want Council to know that the remarks and information that has been given to Council here this afternoon by Doctor Sprenger - was given here with my whole concurrence and at my insistence that this information be given to Council so I want to make it very clear to all Councillors, Mr. Chairman, that there has been no effort on the part of my Administration to keep any information from Council. This was the first I knew of this particular situation and Dr. Sprenger has given this information literally here this afternoon at my instructions, to Council so that I want to make it very very clear that there has been no effort on the part of my administration or any section of it to withhold this or any other information that we have available to us, to Council and I am very glad that we have been able to get it available to Council on this particular basis.

Mr. Boyd: Mr. Chairman, I don't mean to infer that I am picking on the Commissioner but I am saying that what problems are, the problems of the doctor, we'll say, are the problems of the Councillors and he should be quite free to distribute that letter that he read, or whatever it is, to Councillors to indicate his problems. He shouldn't have to go, I don't think to the Commissioner for consent. This is the point I am trying to make and as for Mr. MacKinnon saying that Councillors should know - I know all about the well he is talking about - what I am talking about is a specific point and there may be other specific points that will never get to councillors and they are the affair of every councillor, not just the councillor in an area. Every councillor is highly interested ..

Mr. Watt: Mr. Chairman, I would like to point out some of this was brought to Council's attention several years ago and (inaudible) So it is not administration's fault - it is our fault too for not accepting responsibility that is ours - for people who are living in our areas - whether also in the jurisdiction of Indian Affairs or not, they are still people that are living within our respective areas and we have to accept our respective responsibilities as councillors and I would like to ask Mr. Commissioner one more question. Will Council be given any other information with respect to what the Committee - the Inter-Departmental Committee has deleted from the budget.

Mr. Smith: Mr. Chairman, I might as well be very honest with you. During my term so far anything I have been aware of that has been deleted - now some things have been cut in total to my knowledge- as far as total dollars allotted to them are concerned, but I am not aware of any specific items that have been cut and what I would have to do is simply go through the minutes of the various Inter-Departmental Committee meetings and I would be quite prepared to do this and see if I cannot get this information into Council's hands - you know,in matters of specific items that have been completely deleted. Now there have been items I make it very plain to you, that I am aware of that the total dollars like our Dust Control Program was cut from about $35,000 to $10,000 and things of this nature but items that have been completely deleted that are not knowledgeable to me I would have to go and study the situation to find out exactly what the situation is.

Mr. Thompson: Mr. Chairman, I think this is something that has been twisted around to benefit some people's personal gain. It isn't that Council is not aware of the situation- the part that Council was not aware of was the deletion of specific items from the Budget. This is the point I want to make clear. Many problems exist in the Territory and I think if they concern specific Councilor they are aware of them but when a specific item such as this that has come under administration's scrutiny and they feel something should be done about it and the Inter-Departmental Committee on Federal and Territorial Finance feel it in their wisdom to delete something of this nature I think that there should be some recourse and conceiveably a longer and harder look taken at any specific situation. It probably boils down to the fact that there are only X number of dollars to go around Y number of projects so somebody has to take a cut somewhere along the line but I think that in instances such as this something firm should be arrived at with the committee at a time like this so that we would know within a specific time whether or not a program such as this would be included in upcoming estimates.

Mr. Southam takes the Chair.

Mr. Taylor: Mr. Chairman, I rise to point out one thing- I certainly agree with Dr. Sprenger that this is a deplorable situation and similar situations exist in other parts of the Territory. I concur that the Councillors have known about some of these for a long time but they are powerless to do anything because this is a Federal matter over which we exercise little or no jurisdiction. There is a time such as now when we bring it up for discussion. We will be discussing this same thing again gentlemen when we come to discuss the Five Year Agreement and this is what I have been saying all through this session. We are talking about a budget based on an agreement which in effect does

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Mr. Taylor continues...

not exist and so here we go. If we had had an opportunity to discuss this Agreement...prior to the budget I think we would save a lot of time because we would have by now dealt with these questions and most certainly when we get to the Health Plan there will be other matters of discussion re the Department of National Health and Welfare and the Indian Affairs Department. I might say that this situation down here in this reserve village, insofar as the social education legel is concerned; and obviously now as far as the medical situation is concerned - and I didn't know about the medical situation until today, is another reason why the Indian Affairs Department, its Minister and the whole shooting match should hang their heads in shame because it is Canada's greatest shame as far as far as I'm concerned. They never have understood the Indian and never make any attempt to understand them and they still in my opinion refuse to make any effort to understand them - feed them, keep them fat, dumb and happy and make a political football out of them, pat them on the head and send them back to their tent. That is their attitude.

Mr. MacKinnon: Mr. Chairman, it appears to me that Administration have acted on this budget in accordance with recommendations made by members at this table and only last year the majority at the table were not willing to discuss anything concerning our native people and I believe this adds up to the end result but possibly it is a very fortunate thing this is an election year. Maybe we should have elections every year and the natives might strive far ahead of what they are doing at the present time because now I see all members around the table willing to chip in, help the natives, help problems and otherwise. They have become a concern which I am very very glad to see, and it is very very amusing to watch the movements...

Mr. Boyd: Mr. Chairman, are we getting a lecture here or are we talking about something that concerns the business before us. I don't want to be lectured about something that I already know something about myself

Mr. Chairman: Order please.

Mr. MacKinnon: Do you have a guilty conscience Mr. Boyd?

Mr. Chairman: Councillor MacKinnon, please stick to the matter in question.

Mr. MacKinnon: So, I suggest that Dr. Sprenger's views are very sound and solid and there is a necessity for this type of thing not only in the village in Whitehorse but throughout several villages in the Territory which we can't expect to overcome in one year. But I believe the people in the medical field are working toward and those are all structural basis that will accommodate all these facilities wherethey are worst needed, and I once again will say that it is very amusing from my point of view to see the interest taken by members so far away from this thought a year ago or less than a year ago.

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Mr. Chairman: Gentlemen, have you any further requirement for Dr. Sprenger at this time - may he be excused?

All: Agreed.

Mr. Chairman: Thank you doctor.

Mr. Chairman: Gentlemen, we will return to Bill No. 12, Public Service Ordinance. I believe we have a witness today in the person of Mr. Strong. Are you agreed that Mr. Strong join us at this time?

BILL #12 PUBLIC SERVICE ORDINANCE

All: Agreed.

Mr. Smith: Is Mr. Strong known to the members of Council? (Commissioner Smith introduces Mr. Strong to the members of Council). Gentlemen, Mr. Strong is the head of our Personnel Department.

Mr, Chairman: Gentlemen, we have arrived at Section 7 and I believe there are several questions - I had two questions.

Mr. Boyd: Mr. Chairman, before you ask any questions I wonder if we could find out first of all if Mr. Strong is well acquainted with this Bill in every detail.

Mr. Strong: Perhaps I should begin by saying I have read the Votes and Proceedings of yesterday so I think I know approximately where the situation stands.

Mr. Boyd: This doesn't answer my question.

Mr. Strong: Well, I think I can come to it Mr. Boyd. I did not write this Bill. I have been on several discussions about its content. I contributed to certain aspects of it and I think I can give you all the answers. (inaudible)

Mr. Boyd: Do I take it you have not read the Bill?

Mr. Strong: Yes, I have read the Bill in its context.

Mr. Boyd: You have?

Mr. Strong: Yes.

Mr. Boyd: Then you know about it?

Mr. Strong: Yes.

Mr. Boyd: Well, we were (inaudible) this yesterday and first thing I notice is that the Commissioner is the man. He may subdivide each class, he can do just about anything he chooses to do. It says so here (Mr. Boyd reads Section 7). The Commissisner may deem anything to be appropriate and so far I am wondering why all this detail, if you call it that, is in here to start with and why it is before Council because the Commissioner does make and decide all issues. He can even make a position if he wants to and the thing that

BILL #12

Mr. Boyd continues...

amazes me is how, when you hire somebody, what protection has he got as to what his classification shall be? Anybody can change it. He has not got any concrete set-up at all and it is typical of Civil Service management or I don't mean to say that with insult, but it is typical the way they function and it is also quite understandable how people in the Civil Service can find themselves lost because there is nothing that you can nail anything down to. Does the Commissioner agree with this or am I all off the beam?

Mr. Smith: Gentlemen, this is very true but the only way the Commissioner or other person who is going to direct the public service of the Territory can effectively have this ability or authority, is to get it by legislation and I think what is before you here now is an updating of the Public Service Ordinance that is the green book and Mr. Strong, correct me if I am wrong on this but this is effectively designed to bring up to modern day standards an act which is very important as far as the day to day operations of the Territorial administration, or any other governmental administration is concerned. Mr. Chairman, could I refer that to Mr. Strong? Am I correct what I am interpreting in this?

Mr. Strong: I would say so yes. This legislation now follows the same format, more or less, as what you find in provincial jurisdiction.

Mr. Shaw: Mr. Chairman, It is necessary to have this, but we have classifications - we have six sub-titles to that which sets out that the Commissioner can set out the affecting orders of these people. Could that not have been the Commissioner may divide the public service into classifications and rates of pay and so forth? Confine that into one paragraph that would mean exactly the same as the six paragraphs we have here.

Mr. Smith: Well, now I'm not a draftsman, Mr. Chairman,

Mr. Shaw: But the point is that the Commissioner must be the manager of this Civil Service - some one has to be the boss of it and we accept that fact when we say he may define this and shall define that - he may define all this stuff that we have here, it's fine, but then right at the end of each one of these sections we have come to so far it states that the Commissioner (inaudible). In other words all that has gone ahead of this is redundant because he has the power, which I think he should have, to divide and alter and combine them and so on. So it appears to me that you can get that whole thing in one paragraph and you can save a great deal of paper and a lot of printing and certainly an awful lot of confusion because no person - we'll take a person working for the Civil Service now - this is I suppose orderly management of the Service. Well, someone is divided into a class of which he doesn't approve of or his pay isn't what he approves of, or something like that and he comes up with a beef, whoever he goes to. It all ends up with sub-section 5 'the Commissioner may divide, combine, alter or abolish any classes or grades'. And the same applies to the pay and allowances. It seems like we have an awful lot of verbage which don't mean a great deal.

Mr. Shaw continues....

That's the only thing. I think that this could be really confined, reduced and serve exactly the same purpose.

Mr. Watt: Mr. Chairman, I have two questions; one I would like to direct to Mr. Commissioner. First of all, who asked that this legislation - did administration ask to have this legislation drafted. I don't recall the Territorial Council asking to have it drafted. and secondly, it appears as if this has been drafted because the Northwest Territories has one similar to this and this is taken from it. Therefore we should have one (inaudible) and I think the conditions in the Northwest Territories are altogether different than in the Yukon Territory and they are further different yet in the provinces. How would the, an order such as this compare with similar draft in B.C. or any of the provinces?

Mr. Smith: Mr. Chairman, could I answer the Councillor's question (inaudible). Now, I was not here in the initial request with regard to this. My first introduction to this came at the Fall session of Council when Mr. Ritchie was either called before Council or asked to appear before Council; I'm not sure which and Council gave approval in principle to the up-dating and revision of the Ordinance as you find them before you now. This was my first introduction to this Mr. Chairman, and as to why Mr. Ritchie was here I'm sorry I don't know the background of it. Now perhaps the next part of the question here as to how this compares with other jurisdictions, Mr. Chairman, could I ask if Mr. Strong be permitted to answer that question?

Mr. Strong: As I stated when I was talking to Mr. Boyd, originally, when we wrote this and I participated with Mr. Ritchie in the drafting of certain parts of this we did take sections almost word for word from the Ordinances from other provinces, so in many respects this embodies all the same principles you will find in B.C. I know Alberta (inaudible) because I am familiar with their legislation. Ottawa took it and redrafted it in their own language but it still embodies the same principles - they haven't altered the meaning of what we wanted to say. It gives you the flexibility between any situation as it arises.

Mr. Strong: I certainly agree with Mr. Strong - getting any situation that will arise. I'd like to ask a supplementary question - does this also embody teachers in this Ordinance.

Mr. Strong: If you refer to Section 35.(reads Section 35).

Mr. Smith: Could I answer that Mr. Chairman? At the present you have literally speaking the same situation now whereby teachers are classified as contractual type employee and the same provision exists in the Public Service Ordinance now to permit this to be done.

Mr. Chairman: Gentlemen, are you clear to Item 7.

Mr. Boyd: No, not yet. Mr. Strong, we were told when we were asked if we would go for the passing of an agreement, which we hadn't read at that time, and didn't even know what it looked like, that it would be quite possible to decrease staff by 12%. Your Mr. Ritchie told us this at this table and I am wondering if you have this in mind that

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Mr. Boyd continues...

if this Bill is passed the staff will be decreased by 12% in lieu of this Bill.

Mr. Strong: I wasn't aware that Mr. Ritchie had made such a claim. It will identify the people we have on staff and it will give staff establishment control so that Departments can't indiscriminately hire on bodies on a temporary basis without first getting approval of the Commissioner who is responsible now. This may result in a decrease by 12%, I don't know.

Mr. Shaw: Mr. Chairman, I think that this is substantially what Mr. Ritchie did indicate- there wouldn't be too much empire building - the Commissioner is not an empire builder and that puts more efficiency in that respect, so I think that is where the reduction of the 12% comes in.

Mr. Boyd: It has always been so, the Commissioner has the say in the first place but Mr. Commissioner, don't you think that - I don't like to say I agree to all this stuff here because It is meaningless - what is the point of me telling you that I agree that you shall - you already got this authority - that you shall divide, combine, alter or abolish any classes or grades when it states up at the very top the Commissioner has the management and the direction of the public service! The Commissioner shall divide the Public Services into classes of employment and shall classify each position therein- this is all it takes - what's the rest of the garbage in here? Lettuce? Hay? There are fourteen, how many pages of this same stuff is there - eleven-eleven of them! Couldn't you take this back and get it whittled down to about one-third? Then Council would know what they are doing. This is my thought Mr. Commissioner.

Mr. Smith: Mr. Chairman, I would have to defer this question to the Legal Adviser because I am not a legislative draftsman and I would not care to indicate that it was in fact possible to boil this down as you have suggested. Perhaps Mr. Legal Adviser might have some comment on this.

Mr. Hughes: Certainly, you can just take most of this away and do it by regulations - there would have to be some record somewhere, I suppose so that the staff and the administration will have a record of what their mutual arrangements are. Staffs being hired, of course may want to turn to the Ordinance or regulations to see what their position is, or if they are negotiating for something, and it helps to give a pattern, but speaking strictly from a technical point of view Section 3 would be enough with just the power to pass regulations and that's about all. But it's not fashionable to be brief these days.

Mr. Boyd: The Treasurer, Mr. McKenzie ... it's convenient to have it in here at the time. This is it, as you say, it is very fashionable to have this but it is sure expensive supervision, the amount of stuff we are paying for - a lot of thought must have gone into getting this down on paper and so on and time, it is miraculous, to say the least.

Mr. Chairman: Gentlemen, I think in view of the time we will call a recess here for a spot of tea.

Mr. Chairman: Well gentlemen, we will call this Committee back to order and what is your further pleasure, gentlemen. We have come to Section 7. Bill #12

Mr. Boyd: Proceed Mr. Chairman if you are going to go through it

Mr. Chairman: I am at the direction of Committee gentlemen. If you wish me to proceed I shall.

Mr. Shaw: Let us proceed Mr. Chairman. It appears we are going to have a lot of...about this thing. Well, if that is necessary to have I would suggest we proceed until we find something that might be objectionable.

Mr. Chairman: Well, gentlemen, are you clear on Section 7?

Committee: Clear

Mr. Chairman: Section 8; Section 9 Subsection (1), (2), (a)(b).

Mr. Chairman: Well, Mr. Chairman do I understand that this particular man--maybe I have got this one wrong--this particular man holds down two jobs at one time?

Mr. Strong: It is possible that one man could be in two positions. He may hold a seasonal position where he works say the summer months and in turn takes another position for the winter months. He is in two separate positions paid at two different rates. But not in two positions at the same time. Unless of course he works as say a caretaker in the morning in a school and as a labourer or something like this for Engineering in the afternoon. But it is in two different positions.

Mr. Shaw: The only thing I don't think is good is to permit a man to work eight hours as a janitor and eight hours doing something else. In other words this is doing two jobs at once. This would be only allowed to work...allowed to work--it might be different jobs, an eight hour day.

Mr. Strong: Yes, it's not meant to...16 hours a day. I think in the best interest of public service you have got to have people fresh and ready to go to work the next morning.

Mr. Chairman: Could you speak up louder gentlemen, louder in order that the mike will pick it up.

Mr. Watt: Mr. Chairman, isn't this exactly the same as 9 - 3 that we already have. Is it the intent of this ordinance to completely replace the old ordinance. Is that the idea of it? Or is this an amendment to the ordinance?

Mr. Strong: Well I think that there is a replacement for it, but I believe quite a bit of a (inaudible) and works from the old one to a new one.

Mr. Watt: If it is not a replacement for it, then we are going to have more like this section here. It is going to be listed twice.

BILL #12 Mr. Strong: If there is a replacement for it, pardon me... (inaudible),

Mr. Shaw: Mr. Chairman, at the end it says the public service...Chapter 94 of the revised ordinance 96 (a) is repealed, so the whole thing is thrown out, that's all.

Mr. Chairman: May I proceed gentlemen? The next item is 10 under establishment.

Mr. Boyd: Just a matter of curiosity. This is all going to have to be recorded on I say a ledger sheet for each man. How many more of a staff do you think you will have to have in the personnel department to keep this government employee record up to date? And, another thing which concerns me. Who is the man that is going to say what classification he is in or I am in or you are in. Who is this man going to be?

Mr. Strong: In answer to your first question we are presently trying to fill the vacant position left by Mrs. Christensen. Other than that I don't believe there is any more staff required. In answer to the second question, we have a Mr. Malone from the public administration presently establishing a classification course for us. And when he leaves that it will be left to be maintained. So I will have to establish a classification for a new position under this section.

Mr. Boyd: What about the present positions. Who is going to establish those.

Mr. Strong: Mr. Malone is doing this now. That is incorporated in the establishing of the classification...The classification of existing positions is incorporated in the establishment of this classification plan. This involves going and getting position descriptions on each position. analyzing, reviewing and dividing them into classes of employment. And the original concept of what...classified and going to embody and then you allocate each position and notify each employee as to what classification position he is to be put into.

Mr. Boyd: Where thes Mr. Malone come from. Who is he.

Mr. Strong: Well, he is a consultant from the public administration service in Chicago.

Mr. Boyd: Chicago....

Mr. Strong: With twenty years experience in this deal.

Mr. Boyd: Well, is our own staff not capable of making these decisions?

Mr. Strong: Well you are looking right at me when you say that and I will have to be quite frank with you--no.

Mr. Chairman: One question from the Chair. Why must we go to foreign countries to find people to look after the duties of personnel.

Mr. Strong: Well,

Mr. Chairman: Is there nobody of this qualification in Canada?

Mr. Strong: I believe there may be. But I think you will find public administration service generally...the world over. They have for example set up classification plans in the City of Edmonton, City of Red Deer, Province of Alberta, Province of Saskatchewan, Prince Rupert in B. C. in the State of Alaska. You will find the Federal Government sending their people to the (inaudible) They are recognized. BILL #12

Mr. Boyd: This is very good. And I really--here we have a man brought in from Chicago to set up the headings and so on. And I am not against this, I don't care who sets it up so long as it is set up proper. But on the flick of the fingers a man somebody around here can divide, combine, alter or abolish anything he sees fit. So, if he don't agree with what that man sets up because it suits him better to have somebody else, he may abolish it. If this is going to be a firm deal and something that you would try to prove and live up to then I as an employee would walk into the office and say now I want that job that you advertise. But I have no assurance when I am hired that they wouldn't abolish it or change it and call it something else to suit the whims of the administration. Am I right they can do this?

Mr. Strong: Well, I suppose in a most liberal sense yes. Hopefully, you don't pay a man like Mr. Malone to come and set this kind of thing up and abort it after he is gone. Normally you don't reclassify unless you change the duties and responsibilities of that position.through the proper channels. This in turn would have to be analyzed and compared with (inaudible) at a reallocation if a reallocation is necessary. Now, hopefully you wouldn't have anybody going around making...position in such a such a class because you liked to.

Mr. Boyd: I know that this is done because I am some person and I have a friend in a certain place, we will find a classification for you and there is every opportunity to make a hundred of them if you want. This is done. I know better from that. But I will never beat this neither will anybody else. That's a fact.

Mr. Strong: Well

Mr. Shaw: Mr. Chairman, I don't quite see Mr. Boyd's philosophy in this. We set up general terms. We have a manager in other words...like a firm they hire a manager and give him terms and reference under which he works. Now, he will usually stay within those terms and reference, and if he doesn't stay within those terms and reference why they go looking for a new manager. That would boil that down to pretty well essentially what it is.

Mr. Watt: Thank you Mr. Strong

COMMISSIONER SMITH ENTERS

Mr. Commissioner: Thank you gentlemen.

Mr. Southam: Well, Mr. Chairman, I don't see anything so alarming in this. All business have a classification sheet where you look at when you are hiring a man and send him here and send him there. (Inaudible). And I don't think myself that the Commissioner once this thing is set up--I don't think it is up to the Commissioner or anybody else

BILL #12 Mr. Southam continues...

managing this job will take a man and say you are out because we have no more classifications. We will find another place for him if possible. In other words I don't think he will find himself in the gutter in this day and age. I'd say that. You just don't do these things. You might have done these things 30 years ago. You can't do them today. So, I don't think we have got too much to worry about.

Mr. Watt: There is a basic principle here I would like to ask Mr. Strong about. And, wouldn't it be better if the head of government here would be a Territorial employee and don't you think this should be the number one point in our ordinance here that here we have a situation where the Territory is hiring half a million dollars worth of brains and the person that is in charge of doing all the hiring through this ordinance to handle all the classifications and everything else is a Federal employee. With all due respect I am not trying to...in this, I would just like, I am trying to...he is doing a good job. But, don't you think this should be one of the initial--the first thing that we should consider when we are setting up a civil service commission. The person in charge of administering if he is being paid by the Territory he should also be hired by the Territory. Any comment on that Mr. Strong?

Mr. Strong: May I decline?

Mr. Chairman: You may.

Mr. Strong: Thank you.

Mr. Chairman: Shall we proceed on this point.

Mr. MacKinnon: Well, Mr. Chairman, I am not quite clear on this particular thing. We are talking about having a man from the United States to make this choice. I think if we can't find a man in Canada we had better give up and now. And, do we have to bring an American citizen to tell us who to hire and who not to hire. I think it is time to quit. Or to set up this type of conditions. I think this is a very, very ridiculous motive. And, I don't know whose framework has made this circumstances go so far on the limb as what it is at the present time. I would like to ask the Commissioner if he is aware of the hiring of an American citizem to handle this.

Mr. Commissioner: Mr. Chairman, may I answer this? I am well aware of it and I authorized it and in fact I went out specifically to find the very best man I could to do the job. It didn't matter whether he was a citizen of Canada, the United States or Pakistan or anywhere else in the world. And, I in my looking into this matter I found that the particular firm who we were able to get to do a classification study for us had been in great demand throughout the provinces in Canada. And, I believe that they had just recently completed doing a similar job for the province of British Columbia. Maybe not for the province, but for one of the...

Mr. Strong: New Brunswick.

Mr. Commissioner: New Brunswick? And they did something in part of British Columbia. Was it for the B.C. Hydro that they worked?

Mr. Strong: Prince Rupert, I believe, City of Edmonton... BILL #12

Mr. Commissioner: And, also for the Province of Alberta, and they are one of the very few non-profit type organizations available who have people who specialize in this type of work. This man is here on a short term contract to get this done and I can assure you that if I had not felt this was the proper and best method of getting the job attended to, you have my assurances Mr. Chairman, it would not have been done in that manner.

Mr. MacKinnon: Mr. Chairman, I have a supplementary question. Does this man have some type of agreement with the Canadian Government to come in and do this type of thing?

Mr. Commissioner: I don't know about the Canadian Government, but he has with our Territorial Government. Mr. Strong can you add to this?

Mr. Strong: He has no agreement with the Federal Government. It is strictly between the Territorial...

Mr. Commissioner: Contractural situation. This man is not here ad infinite gentlemen. This is strictly a contractural agreement.

Mr. MacKinnon: Then, it has been cleared with immigration?

Mr. Commissioner: I am assuming the man is here legally Mr. Chairman, I don't know to the contrary. If he isn't he better start heading for the boarder.

Mr. Chairman: May we now proceed with the Bill? No. 11 Subsection (1), (2), (3). Clear. Section 12, (a)(b)(c). Clear? Section 13. The next section is under appointments, Section 14.

Mr. Boyd: Mr. Chairman, does that mean without advertising for a position or anything of this nature?

Mr. Commissioner: That is taken care of in the following Section.

Mr. Chairman: Does this mean then, Mr. Commissioner, that the Minister or senior officials in Northern Affairs have no right to appoint anybody without the concurrence of Committee?

Mr. Commissioner: Oh, absolutely.

Mr. Chairman: The next Section is 15 (1).

Mr. Shaw: Mr. Chairman, there was one question and that is this. I will try to be specific. There is a person in the public service that is well qualified to do this particular job. However, it sems that the government has to go through the expense of advertising in the newspapers, so that various and sundry people will reply and yet it is almost known for certain that this person can have the job. In other words it is a promotional job. It seems to me that the advertising and creation of a lot of trouble for people to apply and it is almost know this person shall get that job. That seems to be a rather stupid waste of money and time. The simple reason is that when a man is qualified to be moved up in the service I would feel that that person

BILL #12 Mr. Shaw continues...

would have priority. If he was so qualified. In this new affair, does that mean that you can have an internal competition, let's put it that way without having to do all this outside advertising?

Mr. Commissioner: I think 15(2) would answer the Councillor's question, would it not Mr. Chairman?

Mr. Chairman: Well, we have not gotten that far yet. May I continue? Subsection (2).

Mr. Commissioner: Does that answer the question?

Mr. Shaw: Yes, that certainly answers the question. It will save a lot of time. It is not possible right now is it.

Mr. Commissioner: Well, I shouldn't say it is not possible. Mr. Legal Advisor might have a comment on that.

Mr. Legal Advisor: Well, the present ordinance calls for the holding of an examination which has always given rise to a little difficulty as to what is meant by an examination. But, this one here--it is intended, I believe in fact to use Section 15 to avoid unnecessary advertising if it is quite obvious that an appointment can be made from within. And that's my understanding. But, perhaps Mr. Strong can deal with the appeal procedure if anybody feels aggrieved. I am not too sure whether--where any appeals procedure exist against an appointmentim this ordinance whereas it does exist of course in the civil service appointment at the Federal level. And of course the appeals procedure would seem to be desirable in case you had interdepartmental appointments.

Mr. Chairman: Clear, gentlemen? Section 15 (1), (2). 17.

Mr. Boyd: I am not quite certain here. In getting to where I think it means the public...where in the opinion of the Commissioner a suitable appointment cannot be made from among persons outside the public service who are residence in the Yukon. The appointment may be made from persons who are not residents in the Yukon, but this would be without the same thing applies where it is not possible to find the proper man within the organization itself, he may appoint someone from within the Yukon. Does that mean that he could just be appointed or would it be necessary to have it advertised. You mean it wouldn't have to be advertised.

Mr. Strong: It would have to be advertised. No, it doesn't say that, though I believe it is implied. I have never seen it done any other way. Let's put it that way.

Mr. Boyd: Well, that is typical of many things I see in here. I don't know whether I like it or not. If you were to say Mr. Boyd do you like it I would say I don't know. It's left out and it must have been left out for a purpose. I can understand you promoting somebody, but I just don't accept the fact that you should be able to go out to anybody on the street of your choice or anybody in Ottawa of your choice and say come along buddy I have a nice job for you. I think this should be a case where you should write some applications and submit their qualifications (inaudible).

Mr. Commissioner: Well Mr. Chairman, I couldn't agree more BILL #12 with the point the Councillor makes here and couldn't we have this written in such a manner that the implication of competition is definitely stated in here. I certainly would not want to find myself with the power to appoint anybody to anything unless it was on a competitive basis. I think it would be very foolish to have that power to place anyone without competition.

Mr. Shaw: Mr. Chairman, let's review this from the factual point here. I would be going to employ somebody and I want that man over there. O. K. All, I have to do is advertise in all the journals in the Yukon Territory and the rest of Canada and then when all the applications are in I pick that man anyhow. So what is the difference. I figure he had the qualifications and some means or other. That's what it would boil down to.

Mr. Boyd: Well, the point is understood, because it seems to me to be the thinking of what transpires already. But that doesn't say that we should condone it. I wouldn't anyway.

Mr. Commissioner: Mr. Chairman, could I ask the Legal Advisor if we could consider adding two words after Yukon Territory, simply "by competition"? Could we ask him if this is a sensible approach here in Section 16 (1).

Mr. Legal Advisor: Well, I think that we might be opening up a bigger door and unleashing quite a number of new problems because the old ordinance has in it competitive examinations shall be held by the Commissioner to establish tests of persons eligible for appointment. That's in Section 14. But there is nothing said about advertising, so you know, if you had a completely irresponsible administration, one which would be prepared to sit in front of you and be criticized in dishonesty in appointment, then there are so many ways in which the administration could cheat. So the administration depends upon the efficiency of the people who are appointed to be able to do exact work. And if it appoints inefficient or unqualified persons it just is making a rod for it's own back. Because that inefficiency will be expressed in inefficient work, discontent in the office, troubles, criticisms of Council, members of the public. So that out of sheer self-interest the administration will do it's shopping as thoroughly as possible. If you want to get into writing in words here, I would prefer to say this then, that may these suggestions be noted. I don't know what urgency attaches to completion of the present consideration. Or, indeed that it is vital that this matter be fast and assented to at this session. It is obvious that there are areas which Council has views about it. Perhaps we can do some redrafting in the summer which would improve it. I have asked Mr. Strong through the Chair whether he would care to comment on where the appeals procedure is and whether this isn't a usful type of provision to have in some way. Where should it be found. In regulations or in the ordinance. I would prefer, sir, to recommend that a note be made of the suggestion, and further discussion be had and possible redrafting in areas of weakness.

Mr. Chairman: Gentlemen, shall we proceed?

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Mr. Commissioner: Mr. Chairman, I don't like to ask this but I have a group of people in my office I promised to see. I wonder if I might be excused.

Mr. Chairman: Does Committee agree?

Committee: Agreed

Mr. Boyd: I wonder if I might interject here, somebody in that Committee asked me to advise Councillor Shaw and Councillor Taylor of a meeting at four o'clock today and I forgot to do it. So, I am doing this now.

Mr. Chairman: You may be excused Mr. Commissioner.

Mr. Commissioner: Thank you.

Mr. Chairman: The next item is Section 18 under terms and conditions of unemployment. Section 19. Section 20, Subsection (1), (2).

Mr. Southam: Mr. Chairman, I think that a twelve month period is pretty long. I would like to shorten it down a little bit. You might as well say half a lifetime, two years? What's the matter with them. If they don't know what a man can do within three months there is something wrong with the head of the department.

Mr. Strong: Perhaps I could put it this way. If this was a low level in the public service I believe you can tell in a relatively short time--three to six months. But when you get into positions at a higher level, the work cycle in a particular office doesn't get completed for perhaps a one year period. And you may know how a person will do on one aspect of the job, but you don't know how they are going to perform on some other aspect and they may be a complete failure. I think you should have the opportunity to go either way. You shouldn't be saddled with an employee after six months if his service is not satisfactory.

SECTION 17
N.W.T.
ORDINANCE

Mr. Legal Advisor: Mr. Chairman, may I quote from Section 17 of the Northwest Territories Ordinance. There is a point of difference here, and as I said yesterday they were kissing cousins I'll try to bring these differences to your attention. An employee shall be considered to be on probation for a period of one year after he has taken up the duties of his position, or for such longer periods as the Commissioner may establish for any...grade of a position. Two, the Commissioner may on the recommendations from the head of a section extend the probationary period of an employee. But the period of extension should not extend the period specified in or established in relation to that position under subsection 1. Three, where an appointment is made from within the public service the probationary period shall be reduced to six months and the commissioner may if he considers this appropriate further reduce or waive the probationary period. I think there is a difference in those provisions there. So, I bring them to your attention.

Mr. Boyd: Does this mean that you take a man on probation for twelve months and say it was five or three months you make up your mind he is not the boy. Are you obliged to pay him a year's salary in order to get rid of him?

Mr. Strong: You are not.

Mr. Boyd: Thank you. BILL #12

Mr. Legal Advisor: What it does mean...perhaps Mr. Strong could possibly comment on this. That if a person is shall we say imported, brought up and he is stationed in Whitehorse, and up for the period,.. and his furniture possibly and he will be given some help to move in. At the end of his probationary period and his work has been satisfactory and he finds that his probationary period has been extended on a unilateral basis he might be left in a very awkward position and can only hope the administration will have made up his mind about his...before they start dangling him on that sort of a string. But it is a possibility.

Mr. Shaw: Mr. Chairman, we have twelve months here, but it can be extended only in the Northwest Territories. It can't be extended here can it?

Mr. Legal Advisor: If--there is quite a limit on the period of extension in the Northwest Territories than there are here. That's why I read out the Northwest Territories provision to you.

Mr. Shaw: Well, Mr. Chairman, what would Mr. Strong have to say about this particular thing. I thought it was just twelve months. I see it can be extended here. ...

Mr. Strong: Well, the way I read this proposed ordinance you could extend it not more than one year. So a person is on probation not more than two years total time. That's the way I interpret that. Could I ask the Legal Advisor for the third part of the Northwest Territories Ordinance?

Mr. Legal Advisor: That relates to an appointment within the public service. That's 17 (3). It can either be reviewed for six months or indeed it can be further reduced or waived in the case of appointments within the public service. There is not such provision here in the Yukon draft.

Mr. Shaw: Well, Mr. Chairman, it appears to me if you can't find out if the man is no good in a year, you had better get another job yourself. That's what I say. A year should be sufficient.

Mr. Legal Advisor: Mr. Chairman, if I could perhaps take a possible situation. Suppose we developed a legal Territorial department and I was to apply for it. I would find that I was subject to a possible course of two years probation. Well, I am not going to apply to a job under those terms. It's a short position.

Mr. Strong: I see no reason Mr. Hughes why you wouldn't apply. It is part of your terms and conditions. Tell them flatly when you meet the selection committee you will not take the job if you are going to be on probation for a two year period. It is completely your choice.

Mr. Chairman: Might I ask from the Chair. Are all people in this case advised they would be on probation for two years. Do they know this before they go on a selection board?

Mr. Strong: Not normally before the selection board. It is when they are documented in other words when they come into the personnel office after they have accepted the offer of employment they are told exactly what the situation is.

BILL #12 Mr. Chairman: Again from the Chair, you mean he doesn't know--that you are not spelling out the terms that he is going to work under until after he has got the job?

Mr. Strong: Perhaps there is a better way to do this by preparing a pamphlet or a booklet which can be given at the point of interview.

Mr. Chairman: They can end it right there.

Mr. Strong: Well, I would say shall...I would like to see this.

Mr. Shaw: Mr. Chairman, subsection 2 of section 20, the best thing to do there would be to take it out of here.

Mr. Chairman: Again, would it it not be wise to take out subsection 2 and replace subsection 3 of the Northwest Territories Act?

Mr. Strong: May I make a point here? This is one particular section that I drafted and when I sent it to Ottawa it was rather different when it came back. Would it be possible for me to read what I sent to them? Probationary period--from appointment an employee shall be on probation for a period not exceeding one year. That gives you leeway. It could be six months or one year depending on the nature of the job. Subsection B, a unit head with the approval of the Commissioner may extend the probationary appointment of an employee in this matter for a further period or periods each of six months duration and not exceeding one year in total.

Mr. Boyd: Same thing

Mr. Strong: Not really. It could work out to two full years if the employee warrants it.

Mr. Shaw: Mr. Chairman, I would ask Mr. Strong a question. If he had a man working for him for one year, would he say that he would be qualified to say whether he wanted that person, didn't want that person. Would he figure that he would require more than a year to make up his mind?

Mr. Strong: I don't think you should require more than a year to make up your mind. But I can think of a circumstance where you might want to extend the probationary period simply because there is no one else available to take that job. You don't want to be saddled with that employee on a permanent basis but you have to have someone to do some work, if you follow me. You could be stuck with on one at all on your staff establishment. And you get no work done at all. Some work is perhaps better than nothing at all.

Mr. Shaw: Well in a situation like that you could lay him off and hire him up again and start all over again couldn't you?

Mr. Strong: I suppose you could. It would involve a lot of paper work and amounts to the same thing.

Mr. Legal Advisor: Mr. Chairman, I wonder whether Mr. Strong could advise the members on why there is a need for probationary periods when there is also provision for a discharge on incompetence?

Mr. Strong: That is a good question.

Mr. Chairman: Would this in fact not cover the situation?

Mr. Strong: Perhaps. I would like to think about that a little bit before I went off the top of my head. I think there is a...perhaps there isn't.

Mr. Boyd: Well, I suggest we leave that for a little while. And, it will have to be dealt with and go on.

Mr. Chairman: Do you wish to return to that later gentlemen?

Committee: Agreed

Mr. Chairman: Next item is Section 21. This is in the same category is it not? That I assume we would be also be--we will be coming back to that will we gentlemen? 20 and 21. We will leave the probationary aspect of it. Well, the next item is Section 22, subsection (1), (2).

Mr. Shaw: What is the point of that. Once a man quits he quits, doesn't he?

Mr. Sgrong: It simply means that if he wants to come back before anybody else is appointed and the Commissioner will accept this, it is fine.

Mr. Boyd: Well he may find out he is coming up for replacement. He knows it. So he will be recategoried and virtually hold the same job with more money.

Mr. Strong: He will not be recategoried. This is what the classification system will eliminate.

Mr. Boyd: But the Commissioner could change that anytime he likes, that man's classification. He can do anything he likes with it.

Mr. Strong: If he does, I'll quit. Again we are assuming no confidence of the Commissioner. I don't think this is right. I would say no it is not so.

Mr. Shaw: Mr. Chairman, what does the Legal Advisor have to say.

Mr. Legal Advisor: Well, I was just going to make the point this is in order, as far as I understand it to overcome the technicality of a vacancy having come up. And after you have got to advertise and go through the rigmarole of Section 15. So that if a man changes his mind then he can unchange it so that you don't get caught on the provisions of Section 15. That I believe why this change of mind provision is in here.

Mr. Chairman: Gentlemen, I neglected to read Subsection (2) of Section 21. The next item is Section 23, Section 24 (1) (a)(b). Subsection (2), (3), (4), (5), and (6). I have one question right off the bat. And that in this bill the employee may submit a grievance to the Commissioner against the recommendations of the unit head. Which grievance shall be dealt with in the manner prescribed in the regulation and unfortunately the Commissioner has the power to make regulations and in my opinion I feel the right of appeal should be going right on into court because at least it should be spelled out in registration and not regulations.

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Mr. Shaw: Mr. Chairman, could I have the Legal Advisor's interpretation of this?

Mr. Legal Advisor: Well I can't interpret something that doesn't exist and it all depends on what is in the regulations. And, I can't offer an interpretation there. Obviously, and I say this with every confidence, the Commissioner will at all times want to have--I won't say one big happy family--but at least an administration which is working in harmony. And he is not going to introduce which are arbitrary. If there is a failureto observe the regulations then it may very well be a matter which could be appealed in the court. But, until the regulations are put before me I can't mention any useful comments.

Mr. Chairman: Again from the Chair, regardless of what the regulations are it appears to me that the aggrieved person would be talking to the Commissioner who would make the regulations because he does not require Council's consent. And if required he could make a regulation to apply to any particular circumstance he so decided to. This is my point.

SECTION 29 N.W.T. ORDINANCE

Mr. Legal Advisor: I am trying to relate this particular provision to it's equivalent in the Northwest Territories at the moment. And, in the Northwest Territories they do say that under dismissals, I am referring to Section 29 of that ordinance. Have you got a copy Mr. Strong?

Mr. Strong: Of the Northwest Territories? No, I don't.

Mr. Legal Advisor: Oh. Well, there it says on the notice of dismissal the employee may appeal to an arbitrary that's persuant to the arbitration ordinance. I don't think there is an equivalent provision in the Yukon Ordinance in that form. And perhaps the Chair would direct Mr. Strong to make a particular note of this point. Because it does seem to be a possible inequity which should be restudied.

Mr. Chairman: Does Committee agree to go back to this later on?

Committee: Agreed.

Mr. Strong: Could I ask one question of the Legal Advisor? I would like to ask the Legal Advisor at this point if--or what precedence there is in provincial jurisdiction or even federal jurisdiction to take an appeal such as we are talking about here into the court?

Mr. Legal Advisor: Well, I don't plead any wide familiarity with all the jurisdictions. But, here in the Northwest Territories in Section 29 they are preparing a way of appeal to an arbitrate. That is a person who would act outside the administration. And, it is quite often the case that appeals to arbitrators quite often go off into the court on legal points. The present ordinance, there is no appeal procedure that I can call to mind and if I may close by saying well, there does seem to be room for improvement if an appeal procedure to be provided, it doesn't exist except to the Commissioner. Council as now indicated , I think feels there should be a more far reaching appeal procedure. We will study to see where at and how appeals are taken to the court in other jurisdictions. But I have already commented that in the Northwest Territories they do have an appeal procedure that we don't seem to have in this proposed ordinance.

Mr. MacKinnon: Mr. Chairman, I think we are sort of bogged down here. I would like to make a suggestion at this time that in the future when there is any of this proposed change in the ordinance that it be approved by our Legal Advisor before it comes to the Table. And, I am led to believe that possibly the Legal Advisor has seen this draft at about the same time as we had. And had very little to do with the advisement of this new drafting. And I would like to suggest at this time that we stop this. It could go on for two or three days and it is just wasting time. And give the Legal Advisor a chance to review this entire ordinance and then bring it back to the table after he has had an opportunity to review this. And I will say again this is wasting time. I think every member is aware. BILL #12

Mr. Shaw: Mr. Chairman, I agree in point with Councillor MacKinnon that when we have legislation up here that the legal advisor should have full knowledge of what is in that legislation. He appears before Council and I think that when he has studied it at his time and helped to prepare it that he is in a position to, you might say tackle it for want of a better word. Or justify it perhaps...of the conditions of this. And he would also be able to do that better being on the ground floor of what we are dealing with than something that is concocted four thousand miles away, and I agree with that continuing ...(inaudible).

Mr. Legal Advisor: Mr. Chairman, may I say that to the others involved say that I have seen it in draft form. But, I have never participated in discussions on it. I have never had any discussion or examination of it except of the drafting. Not the question of implication, not the points that are now coming out. You will remember at the outset of this Council the Commissioner did ask whether you would wish to have Mr. Ritchie who has been most directly engaged in this here, and at that time you thought it was not necessary. I think I will not embarrass the Commissioner if I say that in it's present form there are one or two points that don't seem to have been covered at all or covered too thoroughly. And, I can only recommend to the Council, to Committee, as their Legal Advisor that the bill doesn't satisfy me in all areas at this time. And it may be that we will have to take a good hard look at it through the summer to straighten it out.

Mr. Chairman: Well, gentlemen, may I proceed?

Mr. Strong: Well, first of all I think it is a little unfair to attack this ordinance and say things are missing when Mr. Ritchie isn't here to defend himself. And the second thing is that I don't think the Legal Advisor can claim ignorance of this ordinance or the things that weren't here, because I think it is his job to examine this legislation and bring forward the points he feel doesn't satisfy him. But we've had it in draft...since March 9, and now that's almost two months. If he felt things were missing I am sure that is his job to see that administration is aware of it.

Mr. Legal Advisor: Mr. Chairman, I am not here to criticize a colleague and I am not here to defend myself but there are something like nine pages of criticisms of the draft that I prepared and were ignored.

BILL #12 Mr. Strong: I have never seen these criticisms.

Mr. Legal Advisor: Right.

Mr. Chairman: Well, gentlemen, may we proceed?

Mr. Shaw: Yes, at this time I have one remark I wonder what would happen if we took over some man to do an engineering job around here and took the engineer out of it. What would happen?

Mr. MacKinnon: Mr. Chairman, in view of the fact and the statement made by Mr. Hughes, I think this is definite evidence that we should discontinue discussing this and set it aside and as Mr. Legal Advisor has prepared nine pages of rebuttles that has been ignored, then to me this is plain enough that it is not the type of ordinance that it should be before Territorial Council for approval. This is our Legal Advisor and if administration don't see fit to work with the Legal Advisor, I can't see fit to pass this type of ordinance. And I don't think any other member at the table would. I think it is time we backed up our Legal Advisor and brought him into the picture instead of working from instructions from administration. I don't believe this is fair. I think it is a ridiculous situation. And the sooner that we clamp down on it, the better. Now, I am willing to clamp down on it right now and say that we leave this particular ordinance where it is until the Legal Advisor has a chance to peruse this and administration acknowledge some of his recommendations and it be brought again to the table.

Mr. Boyd: Mr. Chairman, it is a little bit strange. We were told yesterday when we asked for Mr. Fingland and Mr. Fleming and all three reported back that they were not knowledgable in any way concerning this bill. And yet they are the administration and they are the people that are going to ask employees to live by it. They don't even know what is in it as yet. And yet we are going to be asked to pass it or correct it. Anyhow I have no intention of passing it but I don't mind going through it and letting our comments be made known and it is certainly going to have to be as far as I am concerned be brought forward to the next Council that is elected.

Mr. Shaw: Mr. Chairman, could I ask a question of Mr. Strong. Have you sufficient power in the present public service ordinance that you could proceed with the organization in a sufficient operation of the department for six months?

Mr. Strong: With the department of personnel specifically, or with all departments?

Mr. Shaw: With the operation of the government service.

Mr. Strong: The way I look at the government service, you have three important resources, one is money, one is...

Mr. Shaw: I am referring to the employees of the department as they are in any class to employ sufficient reorganization of the department... That is the personnel.

Mr. Strong: No it can be reorganized efficiently in recruitment activities and this sort of thing. That is another question.

Mr. Shaw: Mr. Chairman, would there be a---in this ordinance to classify people and what we have gone through so far? BILL #12

Mr. Strong: I am not sure whether the context is classified the same time, as I take my understanding. Section 10 of the present or the proposed? It isn't classified.

Mr. MacKinnon: ...found in 67

Mr. Chairman: Well gentlemen what is your pleasure in this regard?

Mr. MacKinnon: Well, I would like to make a motion at this time, Mr. Chairman. This public service ordinance be withdrawn from Committee and be revised by the Legal Advisor and be represented possibly to the fall session.

Mr. Chairman: Well, I am afraid this will not be withdrawn from Committee, gentlemen. It is a power over which we have no control. We can only leave it lying in Committee or move it out of Committee.

Mr. Strong: May I make a point? Everything in Section 18 and thereafter under terms and conditions of employment is something which is a bargainable issue within a social agency or a union situation you might have. Anything in here, this is why I prefer to see such things...regulations. They are subject to the negotiation between the Commissioner and his representative. And the representative of an employee's association. They will bargain and set themselves a proper appeal procedure or a grievance procedure to their own satisfaction. Anything in terms and conditions of employment is therefore a bargain provision. And I don't feel it should be tied down in legislation. If you can't change it and you can't change it to satisfy an employee....

Mr. Chairman: What you are saying here is that a man should have to join a union or he cannot work for the public service.

Mr. Strong: I don't think so. I think what we are saying is that management or the administration has to realize that (INAUDIBLE) or else it will force a union situation upon itself and by so doing they will have to share and implement procedure...

Mr. Chairman: What of the grievance employee who does not wish to become or a member of the administration who does not belong to the union. Don't provide it here...agreements all over the place...the grieved employee would walk out and the whole rest of the administration with him.

Mr. Strong: Well I am afraid we are going to have a union whether we like it or no within a very short time.

Mr. Chairman: Willingness...no legislation to protect employee...Well, gentlemen, what is your pleasure?

Mr. Shaw: I wonder if the Legal Advisor has time to ... this and knows of some of the points we are questioning and probably could put it more in line with Council's thinking. Let's put it that way. I wonder if this was possible under sections...we have...most of it we have gone through and some that we have been quite agreed with. And

BILL #12 Mr. Shaw continues...

the Legal Advisor has hear the remarks in relation of that and I would perhaps direct this to him to the Legal Advisor whether it would be possible for him during...section... powers of postponement?

Mr. Legal Advisor: Mr. Chairman, that is laying a pretty heavy burden on me. I am just a Legal Advisor. The philosophy is rather involved in this type of ordinance on matters on which I don't have very much experience. We had...drawn, we have other people who have studied this type of thing. I don't know, Mr. Strong hasn't replied to the question, what provision there should be regarding appeals by disappointed applicants for jobs. There is an appeal procedure in federal appointments. The Committee haven't commented as to whether it would want such an appeal procedure in a present ordinance. Committee haven't indicated whether it would be convinced to follow the Northwest Territories on appeal procedures against dismissal and at least make the matter a reference to an arbitrator. And, there are other matters which will come to your attention in the course of this study. Points of difference between the old ordinance and the new, which should be commented on or your attention brought to it. If this ordinance is needed and it is vital and should be passed at this session, I will drop everything else and do what I can. But, I don't have the background that Mr. Strong and Mr. Ritchie have. I would not venture criticism to Mr. Ritchie. I was merely indicating that we had offered to get Mr. Ritchie here because he was so familiar with this. He could have told you why there was no appeal procedure. Why there shouldn't be an appeal to the court. Or why the Northwest Territories provide an appeal procedure against dismissal to an arbitrator. But in this ordinance for the Yukon they don't appear to have provided it. Now those are not legal matters. All I can do is...what you want or point out obvious inefficiency. But I am not going to tackle the philosophy of whether the procedure should be in or not.

Mr. Chairman: Gentlemen, I wonder...

Mr. Shaw: I have two questions...one follows the other Mr. Chairman. I have seen a notice along the hall there. Is it correct that the Territorial employees, administration employees are about to form a union--become unionized. This is the first question.

Mr. Strong: That is a notice put up by the Treasury board for certification of union for federal employees only. It doesn't apply to Territorial employees.

Mr. Shaw: My following question is it would appear to me to be obvious that this will come about and very shortly in which case this ordinance we are about to pass will be I imagine have quite a number of amendments to it. Probably a meeting between the employer and the employee. Would that not require in all probability some, quite some changes in the ordinance?

Mr. Strong: I don't believe so. There is a section in here somewhere. The Commissioner might make this .... section 34 (2) on collective bargaining. The Commissioner may make such regulations deemed necessary to establish

Mr. Strong continues... BILL #12

procedures for collective bargaining between the Commissioner and organization representative of employees with respect to the terms and conditions of employment and the remuneration of those employees; and (b) a board to determine units of employees appropriate for collective bargaining, to certify bargaining agents for bargaining agents for bargaining units and to hear complaints by such agents or by employees. Now, when he says...I think this takes care of appeals, grievances ...such as an association or collective bargaining type situation. Everything in terms and conditions of employment will become bargainable and negotiable and will become part of the contract. And in a sense will also become like teacher contract employees in a sense of the word. And I don't think the ordinance will require...

Mr. Shaw: Thank you Mr. Chairman

Mr. Boyd: Well Mr. Chairman, I would like to draw your attention to the time and I think we should sleep on this overnight or continue to read it or something else. In the meantime I would move the witness be excused and the Speaker do now resume the Chair and hear the Report of the Committee. MOTION RE SPEAKER RESUME CHAIR

Mr. MacKinnon: I'll second that motion Mr. Chairman.

Mr. Chairman: Gentlemen, would you agree to excuse Mr. Strong at this time?

Committee: Agreed

Mr. Chairman: I believe we will be back at it around 10:30 tomorrow morning. It has been moved by Councillor Boyd and seconded by Councillor MacKinnon that Mr. Speaker do now resume the Chair and hear the report of the Chairman of Committees. Are you prepared for the question? Are you agreed? Any contrary? I will declare the motion carried. MOTION CARRIED

MOTION CARRIED.

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

Mr. Taylor: Mr. Speaker, Committee convened at 10:05 a.m. to discuss bills, memoranda, sessional papers and motions. Committee first dealt with sessional papers. Doctor Sprenger and Mr. Commissioner attended Committee to discuss Vote 5, Bill #9. Committee recessed at 12:00 noon and reconvened at 2:00 p.m. to further discussions related to the health department. I can report progress on Bill #9. Mr. Strong attended Committee to assist with Bill #12. I can report some progress on this bill. It was moved by Councillor Boyd and seconded by Councillor MacKinnon that Mr. Speaker do now resume the Chair and hear the Report of the Chairman of Committees. And this motion also carried. REPORT OF CHAIRMAN OF COMMITTEES

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

Committee: Agreed.

AGENDA

Mr. Speaker: Thank you. We now have the agenda for tomorrow. Is it agreed that we have bills, memoranda, sessional papers and motions? And that we meet with Mr. Strong at 10:30 tomorrow morning?

Committee: Agreed

Mr. Speaker: Thank you. What is your pleasure now gentlemen?

Mr. Southam: I would move we call it five o'clock Mr. Speaker.

Mr. Boyd: I'll second that.

Mr. Speaker: It has been moved by Councillor Southam and seconded by Councillor Boyd that we call it five o'clock at this time. Are you ready for the question? Are you agreed? Any contrary? Order please. Are there any contrary?

MOTION CARRIED

The Motion is carried and this Council now stands adjourned until 10:00 o'clock tomorrow morning.

MOTION CARRIED

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

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. Have we correspondence, Mr. Clerk?

SESSIONAL PAPERS

Mr. Clerk: We have Sessional Papers this morning, Mr. Speaker: Sessional Paper No. 118 in reply to a Motion for the Production of Papers No. 5, Office Accommodation, Yukon Territory Government, Lynn Building; Sessional Paper No. 119 re Fire Insurance; Sessional Paper No. 120 in answer to Question No. 4, Proposed Siting of Ross River Nursing Station; Sessional Paper No. 121 from the Shakwak Valley Community Club re sale of lots; Sessional Paper No. 122 in reply to Motion No. 28, Electrical Requirements at Pelly River; and Sessional Paper No. 123, in answer to Question No. 5 re Interview Board - Position of Superintendent of Education. That's all I have this morning, Mr. Speaker.

#118
#119
#120
#121
#122
#123

Mr. Speaker: Thank you, Mr. Clerk. Oh, I might ask you, Mr. Clerk, have you the agreement tabled...the agreement... Lynn Building Agreement? Is that included in what you just mentioned? I didn't quite catch that.

Mr. Clerk: Yes, Mr. Speaker. The Agreement is an attachment to Sessional Paper No. 118.

Mr. Speaker: Thank you, Mr. Clerk. Have we any further correspondence? Are there any Reports of Committees? We have no Bills to Introduce. Have we any Notices of Motion and Resolution this morning?

NOTICES OF MOTION

Mr. Thompson: Mr. Speaker, I would like to give Notice of Motion respecting the Yukon Flag.

#36

Mr. Speaker: Have we any further Notices of Motion and Resolution?

Mr. Thompson: Mr. Speaker, I have a further Notice of Motion respecting Safety Program.

#37

Mr. Speaker: Thank you. Have we any further Notices of Motion?

Mr. Thompson: I have one further Notice of Motion, Mr. Speaker, respecting Sidewalks.

#38

Mr. Speaker: Thank you, Mr. Thompson. Have we any further Notices of Motion? We will proceed to Orders of the Day. Have we any Notices of Motion for the Production of Papers? We will next proceed to Motions. We have Motion No. 30, Mr. MacKinnon. He is not here. Mr. Watt, Consolidated Ordinances, Motion No. 31, Mr. Watt.

MOTION #31

Mr. Watt: Mr. Speaker, Motion No. 31, moved by Mr. Watt, seconded by Mr. MacKinnon, re Consolidated Ordinances. "It is respectfully requested that the Administration"...there should be a word added here...."make preparation to revise, update and have published if possible, not later than 1968 a revised edition of the consolidated ordinances." May I proceed?

Mr. Speaker: Proceed, Mr. Watt.

Mr. Watt: First of all, I would like to say that after "the Administration" I think there is just a typographical error. The word "make" should be added. I don't think it is worth making an amendment for.

Mr. Speaker: That is quite all right.

Mr. Watt: With respect to this, Mr. Speaker, I would like to say that our last Consolidated Ordinances were in the year 1958, ten years ago, and there have been certain amendments made since that time and it is very difficult for a member of the general public to get a copy of the Ordinances, plus a copy of all the Ordinances passed since that time, and find out exactly what the law is on a particular subject. Something such as this takes quite a little bit of preparation and if Council were to go along with the principle of this, then it would in effect ask the Administration to start making preparations for consolidating the Ordinances once more. It shouldn't be too difficult for somebody that is familiar with the Ordinances to consolidate this, eliminate what has been replaced and if any new Ordinances have been completely replaced, then they can insert these new Ordinances...the complete new Ordinance...in place of the old one, such as the Social Service Ordinance that we were discussing yesterday. It is the complete elimination of an old Ordinance and a replacement by the new one. I understand there are not too many copies of the old green book now that are available to the general public and before we get any more printed, I think it would be wise to have them consolidated and when a reprint is made to have an up-to-date set of Ordinances so that these can be purchased by the general public. It would simplify things for Councillors and for everybody else that would like...that would want to comply with a particular Ordinance. I don't think there is a great deal of additional money involved in this if the Administration sees fit to do something along these lines but this is approval in principle by the Council, if they wish to vote for this Motion, to ask the Administration to go ahead. Anything that is passed now, any amendments that are made, can be tabled by the Administration in such a way that they can make provision for it in the new Ordinances. I respectfully ask the Council to go along with this particular Motion. It is very simple and if the Administration have some particular reason why they cannot do this, then they will certainly let us know. This is approval in principle for something that would facilitate things for the general public as well as Territorial Councillors.

Mr. Taylor: Mr. Speaker, I would concur with the Motion. I might point out that I don't know why it is really here. It was in the draft proposals discussed in Ottawa. Provision was made for this. I don't know whether we discussed it expressly in Ottawa but we did in Financial Advisory Committee. This is already programmed for and going through so I have no other choice but to go along with the Motion but the Administration are undertaking this in any event.

MOTION #31 CARRIED

MOTION CARRIED

Mr. Speaker: Motion No. 32, Mr. Watt, Inclusion of Justice in Estimates. MOTION #32

Mr. Watt: Mr. Speaker, moved by Mr. Watt, seconded by Mr. MacKinnon, re Inclusion of Justice in Estimates. "It is respectfully requested that the Administration make provision in our Supplementary Estimates to include a Vote on the estimates for Justice." May I proceed?

Mr. Speaker: I am afraid not, Mr. Watt, at this time. The Motion is out of order but if you sit down...take your seat... I will explain. Section 24 of the Yukon Act states, "It shall not be lawful for the Council to adopt or pass a Vote, resolution, address, or bill for the appropriation of any part of the public revenue of the Territory" which makes the Motion in-operative or out of order, however, you have given me authority under section 4...section 199, subsection (4) which states, "It is the Speaker's duty to call the attention of the mover and of the House to the irregularity of a Motion whereupon the Motion is usually withdrawn or so modified as to be no longer objectionable." Now, if, with your concurrence, we can make this Motion quite legal by prefixing it with "In the opinion of Council". Would that be acceptable to you, Mr. Watt?

Mr. Watt: Certainly, Mr. Speaker.

Mr. Speaker: Proceed.

Mr. Watt: I'll re-read that, Mr. Speaker. "In the opinion of Council, it is respectfully requested that the Administration make provision in our Supplementary Estimates to include a Vote on the estimates for Justice." May I proceed?

Mr. Speaker: Proceed, Mr. Watt.

Mr. Watt: Yes, Mr. Speaker. As you know, we have exercised... the Council have exercised a veto with respect to Justice because of some things we thought were unsatisfactory with the Department. We thought...I was the maker of the original Motion that called for the exclusion of Justice and Council supported it twice. We thought that using our veto power would cause an inquiry into Justice so that our objections to it could be registered. Unfortunately, the impression was given somehow that the only objection that we do have to Justice is that it happens to be in our Estimates as a charge against the Territory instead of in the Federal Estimates. To me, this is just simply a bookkeeping entry. It's still charged against the Territory as an Operation and Maintenance charge and this has very little concern as far as I am concerned. This wasn't the intent of the original Motion...just to have a bookkeeping entry shifted from a liability on one side to a liability on the other side. It's still a charge against the Territory so that bookkeeping entry made very little difference. Now, it has put Justice in a position where the little bit of say that we did have about it we no longer have because it is no longer in our Vote and Justice is something that is important to us. Some of the reasons that we did exclude this was because the objections that we had to Justice have not been acted upon and we were not very satisfied with it and that is largely why I made the Motion and I think that Council supported the Motion. One thing was, and I think we also agree on this, is that we should have had assistance for our Legal Advisor to help with some of the legal problems that we have. This was a basic condition of the Five Year Agreement, plus a basic condition

MOTION #32

Mr. Watt continues:
of the last Police Agreement. This was not acted upon. This was one reason. There were other objections that we have... the slow moving of Justice and I think that Council objects and this is why we threw it out of the Vote. It wasn't just because of the bookkeeping entry so I think that...the object of this Motion is to make it so that Justice will be included in our Estimates. If Administration cannot see how they can put it in the supplementary estimates....I don't see why they can't because they had it in our last supplementary estimates.. they could put it in the next Spring Session anyway. This should be back where at least we have our finger on the pulse once in a while. I am sorry to say that Council's attempt to improve our say in Justice was defeated. It proved one thing and that is our veto power doesn't amount to very much. This is simply what it proved...that our veto power here isn't really the power that we thought it was so I would suggest that this just proved this to us and I think the same thing is also true with respect to the....if we exercise veto power over either the Budget or the Five Year Agreement or anything else.. the same type of thing is going to happen. It is the only real power that we did think that we did have...the power of veto but it turns out to be a paper hanger...there is very little actual strength in the veto power that we think we have so I would suggest that the Council go along with this Motion and then let a new Council deal with it when the time comes in the fall or next spring. I would like to have the support of Council with respect to this and have this back in the Budget where we can put our finger on it.

Mr. Speaker: Thank you, Mr. Watt. Have we any further discussions on Motion No. 32?

Mr. Boyd: Well, Mr. Speaker, when I...when we were dealing with this particular subject and Council elected to get it out of the Budget, as far as I was concerned, I didn't do it with the idea that anything would change and I didn't do it with the idea that I was going to be in the position of forcing Ottawa into any kind of a position. I did do it, if I went along with it...I didn't go along with it to start with...on the basis that we had no say in it. We were voting money, simply voting a certain sum of money without knowing anything and having no say whatsoever. This I didn't like and by putting it back in the Budget, it is going to be exactly the same way under the present circumstances so putting it in there to me now will change nothing. That's the basis that I went with in the first place. That is why I went with the Motion as we had no say in it...in the monies...in the spending of the monies and I am not about to change now. If Ottawa doesn't want to give us any say, give us what we call a senior legal advisor...somebody that can be manager in the same sense that the Commissioner is....manager of our Justice.. then leave it where it is. They are running the show anyway. I don't know why we are worrying about a little figure of $150,000.00...whatever it is...being in the Budget.

Mr. Taylor: Mr. Speaker, I can only concur with....I am surprised to see this one here too because after the big battle that raged for days and days and days on this subject in order to get Justice back where it properly belongs...to the Federal responsibility...which of course we achieved in Ottawa...I would not at this time ever suggest that we take on this responsibility again. This...during the period of the last fiscal agreement, was an estimated annual charge to the Territorial Government of the Yukon of $498,000.00 per year or shall we say in rough, round figures, in excess of two million dollars over the past five year period that

Mr. Taylor continues: MOTION #32

we have had to pay for not only the police services but the care of prisoners by the Department of Justice and the Administration of Justice, that is the Courts, and everything else. Now, we fought many long battles and turned down agreements, everything from the police agreement to I don't know what, to achieve this and when we were in Ottawa, we proved beyond any shadow of doubt to the Federal Department of Justice that Justice and police services, by virtue of the Yukon Act, were in effect a responsibility of the Federal Government. They were policing this area long before you and I came here, Mr. Speaker, and it is still their responsibility. We are still a Crown Colony. We have no provincial status. It was desirable also that this be done, not only to relieve us of the financial responsibility, but the other things as well. All that is required now is a liaison and we have firmed up that the liaison between the Department of Justice and this Council is apparently the Commissioner. Well, this is fine. Therefore, if we have any questions to ask, we can no doubt ask them of the Commissioner...otherwise the Council remains, whether we pay the Justice Bill or not, as merely advisors to the Commissioner and have no real...there is no real difference as to whether we pay the money or not in the authority that we would exercise. I do think though that we should have access to information. I found on my desk yesterday the police administration statistics for Canada which I found most interesting and I believe Mr. Legal Advisor manages to make those available to us. I would certainly not support this Motion because, on the grounds that I have stated, I certainly wouldn't commit the taxpayer to another half a million dollars a year, Mr. Speaker.

Mr. Speaker: Have we further discussion on Motion No. 32?

Mr. Watt: Mr. Speaker, I just want to comment on the objections that have been raised. First of all, as Mr. Taylor pointed out, and I regret to say that even though he does agree with the Motion he has to throw insults a few minutes first. He suggested it was $498,000.00 which I think is pretty close to half a million dollars...something that is a charge against the Yukon Territory and if anybody here remembers the police agreement when it was discussed in Council, the percentage of each constable that the Yukon Territorial Government is charged or pay whether we sign the police agreement or not...they will recall that the percentage that we are paying amounts to a pretty good percentage and the percentage that we are paying for the aircraft...10% of it...is a charge against the Yukon Territory. It's the same as your oil bill is a charge against your house whether you see it in detail or not. It's still a charge against your house; this part of the charge against the Yukon Territory and it should be in a position where even the meagre information that we do get...it is in a position where at least the thin edge of the wedge...where we can keep asking for more information and I think that the information that we did get was something that Mr. Legal Advisor did on his own...I read this particular document too...and it wasn't compulsory. He thought it would be of interest to us and I appreciate him knowing our concern with respect to this. I recall Mr. Boyd, when this Motion came up, he abstained from voting against the Motion the first time and abstained the next time. He wanted this left in. He voted against my Motion then each time and now he is voting against it again. He's consistent in one respect. He keeps voting against the Motion no matter what it is. One of the main reasons we voted against the Justice Vote and we didn't haggle for days...this is something which took five minutes

MOTION #32

Mr. Watt continues:
twice. I think we did the right thing at that time but I think that the reasons that this was done were not necessarily listened to by Ottawa so I think that if this is a charge against the Territory, which it is, we should have our finger on the pulse at least to the extent that we can get it and one of the basic objections...the reason that we threw it out.. is still here. We do not have the extra legal help that we need which was a basic part of the Agreement...a go between between the Police and the Yukon Territory...one reason was to help explain these figures. Mr. Taylor thinks that we are now a Crown Colony and I think there may be some truth in the statement that we do not have the position of a province right now...the status of a province, but I think that to delete this further serves no useful purpose except we proved that our veto power means nothing and it is shifting us back towards more of a Crown Colony where we have less of the jurisdiction that the provinces have. As has been suggested, we are simply advisors to the Commissioner. Well, we should be advisors to the Commissioner with respect to Justice too. I have seen Motions at this Council Session.. at this very Council Session...that have been agreed upon by Council...by the majority of Council...with respect to asking for policing in a certain area. This is something that we are interested in and something which we pass motions on.. with respect to police...but we don't have any control over the Budget. We have very little anyway but the control... at least it was in a position where we could complain about it. We have proved that the veto power means nothing but I still think that this should be back in the Budget and I am not going to be too worried if the Council defeats this. I don't think it's a personal insult to myself or anything else but I still think this should be back in the Budget as it was before and it was originally put in the Budget upon the request of Council about six years ago...after a struggle it was put in. I just regret that the efforts that Council made in using our veto power amounted to nothing.

MOTION #32 DEFEATED

MOTION DEFEATED

Councillor Watt voted for the Motion. Councillors Boyd, Thompson, Southam and Taylor voted contrary.

Mr. Speaker: We next have Motion No. 33, Mr. Watt, Escarpment Stabilization. Are you prepared to discuss this Mr. Watt?

MOTION #33

Mr. Watt: Yes, Mr. Speaker. Moved by Mr. Watt, seconded by Mr. MacKinnon, re Escarpment Stabilization. "It is respectfully requested that the Administration study the feasibility of having the Engineering Department firm up some escarpment stabilization plans and that the Vocational School be given permission to use these plans to stabilize the escarpment as well as train students to operate machinery, etc. It is further requested that if the above plans proves feasible then the general progress inspections be done by the Engineering Department whereas supervision of work be carried out by the Vocational School personnel." May I proceed, Mr. Speaker?

Mr. Speaker: Proceed, Mr. Watt.

Mr. Watt: This, Mr. Speaker, is an attempt to further have something done with the Whitehorse escarpment. I know that there is an item in the Budget for Escarpment Stabilization and there has been in the past but it has not been used except for approximately $300.00 in the last fifteen years and I have a group of reports that have been made. The first one I have is about fifteen years ago saying that immediate action should be taken on the Escarpment Stabilization or the Puckett's Gulch and the other gulches that are forming here will eventually fall back as far as Puckett's Gulch is now and that is almost to the Alaska Highway. That was the first report fifteen years ago and it was recommended that action be immediately started on this. As the Territorial Councillors know, we have considerable investment in land along the base of the hill...Lot 19...we own about 60 some odd lots there now which will be sold after this is stabilized and we will recover any money that we have left in that at that time. There is approximately $100,000.00 in our Budget now which the Engineering Department...if our Bill is assented to...will be able to use, but along with that, we have a Vocational School, we have equipment that is being serviced and maintained and rebuilt. We have operators that need training and they are looking for a place to train much of the time. They do a lot of little projects. They are running around looking for work - looking for something to do. This is something constructive that wouldn't be interfering with private enterprise. There are sections of this that could be done. This $100,000.00 is just going to be the beginning of the Escarpment Stabilization Program and we could make use of the equipment and the students. It is close to Whitehorse. It is close to the Vocational School and the directions towards this Program could be done by our Engineering Department. The operating could be done by the students. It would serve two purposes. It would be stabilizing the escarpment as well as training personnel. It looks as if this Escarpment Stabilization Program is not going to amount to very much. In the long run it's going to amount to a million or million and a half dollars to do this job. This is one of the estimates I have found in one of the reports and this $100,000.00 which is voted now is just a drop in the bucket. The students could start on this...start their earth moving program or stabilization program and we could make very good use of this Vocational School. Mind you, this would have to be with the assistance of the Engineering Department.. Territorial Engineering Department and this Motion...it starts out..."It is respectfully requested that the Administration study the feasibility"...study this...and if for some reason the Engineering Department finds it cannot do this, then it will let us know but this is essentially asking my fellow Councillors to ask the Engineering Department to just look at the feasibility of it. It may be the best thing that we have done at this Session. On the other hand, it may not be feasible. The Engineering Department might request that the Federal Engineering Department do it but this, Mr. Speaker, I think is a very worthwhile Motion. It's not costing the taxpayers anything to have this looked into. I think it should be done and done as soon as possible. It will serve two useful purposes. It will act as a training ground as well as stabilizing a bad situation in Whitehorse which is becoming worse every year.

MOTION #33

MOTION #33

Mr. Taylor: Mr. Speaker, I have several questions in relation to this Motion....that is what is programmed for the coming years in the fiscal agreement. It seems to me we discussed this in Ottawa as well. Secondly, I would be interested in knowing what the total effect...what buildings are involved, how many people are involved...are there any Government buildings involved here? Who owns them? I would like to know much more on this thing. I know we have discussed this several times at this table and an attempt has been made to stabilize the escarpment. There have been reports made at great expense to the taxpayer and I think we have arrived at a point where we should have more information. I was wondering, Mr. Speaker, if we could discuss this in Committee of the Whole with the Territorial Engineer.

Mr. Boyd: Well, first of all, it is a Territorial responsibility. I see no harm in lieu of the wording of the Motion.. "It is respectfully requested"...."to study the feasibility". Let's let them have a look at it. They will soon tell us whether they want to go ahead with it or not. I am quite prepared to support this Motion.

Mr. Speaker: Have we any further discussion on Motion No. 33?

Mr. Watt: Mr. Speaker, in conclusion I would just like to say that I don't think any useful purpose could be served by having this come to Committee where...if Mr. Taylor had been interested enough in this, he could have asked and I could have given him the reports that I do have and he could study them for himself and when we do go into Committee, it is just a process where every statement I make is rebutted by somebody else. Here, in Council, we have a little bit of order, Mr. Speaker.

Mr. Speaker: Well, this matter...no one knew about this until this morning, Mr. Watt, so they didn't have the opportunity to get information. We were not aware of the Motion until we got here this morning.

Mr. Watt: Notice was given yesterday, Mr. Speaker, and nobody asked any questions with respect to it. As Mr. Boyd said, it is a Territorial responsibility and I respectfully request the support of Council respecting this Motion, Mr. Speaker.

Mr. Taylor: One question. There seems to be conflict. Is this a Federal or Territorial responsibility? That would affect my vote.

Mr. Speaker: Perhaps Mr. Legal Advisor...would you be able to answer that question? Is the escarpment Federal or Territorial responsibility?

Mr. Legal Advisor: Not correctly because it just depends on where you are on the Escarpment. You move over to the D.O.T. reserves which, of course, is a Federal responsibility. The further you cut back, the more you work into it so until a feasibility study is made...definite plans...survey lines laid out...there is an area of gray in the midst of it so it is a question that can be answered eventually but not at this time.

MOTION #33 DEFEATED

MOTION DEFEATED

Councillors Boyd and Watt voted for the Motion. Councillors Thompson, Taylor and Southam voted contrary.

Mr. Watt: I would like to congratulate Mr. Taylor and Mr. Thompson....

Mr. Speaker: You are out of Order, Mr. Watt. We next have Motion No. 34, Mr. MacKinnon, who is not here. We next have Motion No. 35. Would you please take the Chair, Mr. Taylor.

Mr. Taylor takes the Speaker's Chair.

Mr. Speaker: Mr. Shaw, would you be prepared to discuss Motion No. 35 today?

Mr. Shaw: Thank you, Mr. Speaker. Motion No. 35, moved by myself, seconded by Mr. Taylor, re Public Utility Commission. "It is the opinion of Council that the Administration consider inclusion in the 1967-68 Estimates of a sum of money sufficient to implement a review by a Utility Commission or a like public body on matters such as insurance rates and business practices thereto. On matters relating to gasoline and petroleum products as well as to ascertain if there are any infringements of the Combines Act whereof. This body also to investigate the cost of air transportation as approved by the Air Transport Board as a monopoly as well as any other matters of substantial importance to Yukon Citizens which may usually come under the jurisdiction of such a public utility commission." May I proceed, Mr. Speaker? MOTION #35

Mr. Speaker: Proceed.

Mr. Shaw: This is merely a matter, as stated, of a Public Utilities Commission to look into matters of electricity, petroleum products, transportation..any form of such a thing that would be of such grave and over-reaching concern to the people of the Yukon Territory. In the past number of years and up until this year, there has been provided an amount of $10,000.00 in the Estimates and for some reason or another, it is not included in this year's Budget. I can quite understand, Mr. Speaker, that when you include an item of a sum of money of $10,000.00 and each year no action is taken in respect of that that it would be quite common sense to take it out of the Budget and I feel that the reason that this has been taken out is for the fact that due to the inactivity of getting any action. I think that we have got to the time now that action should be taken in respect to matters such as this. The complaints around the Council table on these various subjects...maybe they are monopolies.. maybe they are not but I believe that every province has such a Commission and even the Northwest Territories have. They employ a firm of...I don't know what you would call them... consultants or experts in the field of Engineering to conduct the economics and to discuss and to route out the causes and the costs of things in relation to such matters. I think Council is well conversant with this matter and I would ask their concurrence with this Motion, Mr. Speaker.

Mr. Watt: Mr. Speaker, I certainly concur with the Motion. In fact, the second Motion that I ever put to Territorial Council six years ago was with respect to a Commission such as this Public Utilities Commission and at that time it passed Council and it was there on the books for three years until.. and it wasn't used for one reason or another. There was an excuse given each time and then a Financial Advisory Committee deleted it from the Budget. Administration had been going along and agreeing with it and had been making overtures with respect to the use of it and then the Financial Advisory Committee, with three Territorial Councillors in it, had deleted

MOTION #35

Mr. Watt continues:
it from the Budget. I think that that Financial Advisory Committee at that time...it was the first Financial Advisory Committee that was formed...with Mr. Livesay as Chairman; Mr. McKamey and Mr. Shaw. I fought to have it put back in but I wasn't successful and I am certainly glad to see that now that some of these things are hurting other people as well as Whitehorse, which was really being hurt at that time, they are starting to consider the Territory as a whole more. I certainly concur with this particular Motion and if anybody wants any proof of my statements, I can certainly go back in the Votes and Proceedings and find them.

Mr. Speaker: Thank you, Mr. Watt. Is there any further discussion, gentlemen?

Mr. Shaw: Just one thing, Mr. Speaker, in relation to what has just been stated. That Utilities Commission at that time was set up to investigate electric power when it was taken off the Budget. At that time there was an investigation by the Montreal engineers and that was felt at that time would be sufficient for this. However, at a later date, this $10,000.00, and I believe you will find in the Estimates, Mr. Speaker, of last year...the $10,000.00 was sitting there right in the Estimates but it is not included in this year's Estimates. However, that doesn't make any never mind. It's much more inclusive..this particular Motion. This covers all facets of the economy which is quite different from the original construction of the Motion.

MOTION #35 CARRIED

MOTION CARRIED

Mr. Shaw resumes the Speaker's Chair.

Mr. Speaker: Gentlemen, that completes the Motions for this morning. Have we any questions?

Mr. Boyd: Mr. Speaker, yes. I have a question I would like to direct to the Commissioner even though he's absent at the moment.

Mr. Speaker: Well, Mr. Boyd. If there are further questions or if it is your pleasure, gentlemen, we could have Mr. Commissioner here. I will call a short recess. Mr. Clerk, would you please ascertain if the Commissioner can be present.

Mr. Commissioner enters the Council Chambers.

Mr. Speaker: I will now call this Council to order. This is the question period and I believe Mr. Boyd has a question.

Mr. Boyd: Mr. Speaker, while we were in Ottawa, we had a talk about a Federal and Territorial relationship Committee that will look into some of our situations and I think this is the most important thing that should take place. I wonder if the Commissioner can tell us if it is to take place or if anything further has developed on this.

Mr. Commissioner: Mr. Speaker, I am very happy to confirm that this matter is in fact on the rails and this is the general study of the...fiscal and the tax relations between the Territorial Government and the Federal Government and I am sure this is the matter that the Councillor speaks of and it has been included I noticed in each one of the submissions

Mr. Commissioner continues:
that were given to us by the people that were invited to bid on the economic survey. I notice that each one of them in their submissions have devoted a section to this particular question and when Dr. Wise was up here approximately a week or ten days ago, I mentioned the urgency of this matter to him...that this should be undertaken promptly and I had assurances from him that this in fact will be the case and I do believe that it will be conducted in the manner that Council has suggested, namely, it will be done very promptly so that we have the report available no later than January of this coming year so that we will be in a position to have at least time for study for this before the next Fiscal Agreement comes up.

QUESTION RE FEDERAL-TERRITORIAL COMMITTEE

Mr. Boyd: Thank you.

Mr. Taylor: Mr. Speaker, I have a very important question this morning....for which the Commissioner may have a reply or could take note. My question arises out of the recent announcement by Nuranda Mines of the closure of some 90 million dollars worth of resource projects as a result of the insecurity of the matters pertaining to the Carter Commission Report on the taxing of capital gains. Mr. Speaker, in view of the importance of this matter and the concern this is causing to the Yukon resource people and in view of the fact that this could effectively strangle the economy of the Yukon Territory, I am wondering if Mr. Commissioner has received any word from the Federal Government as to whether or not this will in fact be implemented or is he aware of anything pertaining to this which would offer relief to these resource people from this Carter Commission recommendations.

QUESTION RE CARTER COMMISSION

Mr. Commissioner: Mr. Speaker, I do not have any direct word from Ottawa in this regard but I could refer the Members to the lead item in the Globe and Mail edition that arrived on my desk yesterday morning in which it stated that the Federal Finance Minister Mr. Sharp had promised a statement of...I assume you would refer to it as a white paper type statement...that was designed to at least give the Mining Industry an indication as to which direction the Government's feelings are in this regard. If memory serves me correctly, this statement was to be available within the next day or two which I would assume would be either today or Monday. I would assume that Mr. Sharp would be giving this statement in Parliament and I am sure you will not only hear of it through the news media but as soon as it is available in full, I will be very happy to see that it is made available to the Council. As I would understand it from the article that I read, there has been a tremendous amount of general uneasiness in the mining industry in Canada as a consequence of the submission of the Carter Commission and I am assuming that the Federal Government is very much concerned about the actions of some mining companies....announcing curtailment of capital projects as a consequence. Right in our particular stage of our development here, I think it is a very important question to us because of the fact that if these large mining companies are going to curtail capital expenditures in other parts of Canada, it is impossible that we would escape a similar situation.

Mr. Thompson: Yes, Mr. Speaker, the other day there was a question of catering contracts for local Correctional Institutes brought up and Mr. Commissioner said at the time that he would be looking into the problem and be able to give us an answer to the situation. I am wondering if he has had an opportunity to look into this.

CATERING--CORRECTION INSTITUTE

Mr. Commissioner: Mr. Speaker, I would be very happy to tell Council what has transpired on this. As you will know from the ads that were placed in the paper and my intimation here in Council, we advertised and asked for bids for catering purposes in the Correctional Institution not with the thought in mind that we were committed to a course of action one way or another but so that we would have some factual indication as to what would be the best course of action to follow. Our analysis of the bids that were offered was decidedly against proceeding with a catering contract and the people who did bid on the contract have been advised by letter that I signed yesterday that the contract now has cancelled.

CARTER COMMISSION

Mr. Watt: Mr. Speaker, I have a question with respect to this Carter Commission. I understand they are receiving submissions from interested groups with respect to how the Carter Commission would affect mining and other taxes. Does the Administration of the Yukon Territory...does Mr. Commissioner know of any Federal Agency associated with mining that is presently in the Yukon Territory that plan on making a submission to the Carter Commission on how their tax changes would affect Mining in the Yukon Territory?

Mr. Commissioner: Mr. Speaker, I am not aware of any but I wouldn't want that to be taken as a fact that this is not possibly going on. I am not aware of any. Mr. Speaker, further, I assure the Council that I will definitely find out. We only have two or three Departments to contact in this regard.

Mr. Taylor: Mr. Speaker, yes. In addition to this if it may be of assistance...the Chamber of Mines have taken this matter under their advisement...Yukon Chamber of Mines.

YUKON ECONOMIC DEVELOPMENT PROGRAM

Mr. Watt: Mr. Speaker, I would like to ask Mr. Commissioner if any decision has been made with respect to the successful bidder and with respect to the Yukon Economic Development Program and if not, how long does he expect it to be before he will make a decision on who is the successful bidder?

Mr. Commissioner: Mr. Speaker, I wonder if Council would be good enough under the circumstances to excuse me from answering that question at this time.

Mr. Speaker: I didn't get the question but it is all right.

Mr. Commissioner: I got it loud and clear, Mr. Speaker.

Mr. Speaker: At any time, of course, we quite understand gentlemen that the Commissioner has the prerogative of not answering the question if he is not able to give an answer.

TRAVACON STUDY

Mr. Thompson: Mr. Speaker, I am also wondering if the Commissioner can give us any indication as to the results or findings of the Travacon Study and if not, has he any indication as to when the paper will be forthcoming?

Mr. Commissioner: Mr. Speaker, in this regard, we are going to be favoured here in the Territory with several of the men from the resources group in our Department....Mr. Hunt, who has been the Director of the Economic and Resources group... I think I say that correctly...and along with several of the men from the engineering side of the resources section and I am quite confident that when they are here...I believe some of them are coming into Whitehorse tonight....others

Mr. Commissioner continues:
will be here the early part of the week....I am quite confident that after they have been here I will be able to properly and rightfully answer that question.

Mr. Watt: Mr. Speaker, I have a question I would like to ask Mr. Commissioner. It arises out of statements we had here yesterday. Dr. Sprenger, which I understand Mr. Commissioner was aware of...one point that he did make was with respect to sidewalks along the two-mile hill for the benefit of the native people. Are you aware of any plans....I didn't see any in the Engineering Department...know of any plans that are included anywhere or if this is included with the up-grading of the two-mile hill this year with respect to putting the sidewalk along the side of it in accordance with the statement made by Dr. Sprenger?

QUESTION RE SIDEWALK TWO MILE HILL

Mr. Commissioner: Mr. Speaker, I am not aware of any specifically concrete plans that would particularly allude to this point of the sidewalk, however, Mr. Speaker, could I refer to Councillor Thompson....I believe he was going to table a Motion in connection to a further pathway...did you table this?

Mr. Thompson: This morning.

Mr. Commissioner: This...one would tie in with the other as I would understand this, Mr. Speaker and I would also say this that this matter of a pedestrian area or sidewalk area, whatever you wish to call it, on the area of Fourth Avenue from Baxter Street right to the Indian settlement and also right to the top of the two-mile hill has been a matter of considerable public concern for a long number of years. I certainly feel that it is high time that something was done about it and while I know of nothing specific that presently exists in our Budget, I certainly fully intend to consult with our Engineering Department to see if we cannot do something constructive even if we can't put down an asphalt sidewalk...at least we should be able to take a piece of road equipment and have something better than we have there right now.

Mr. Watt: Thank you very much.

Mr. Speaker: Mr. Taylor, would you please take the Chair a moment. I have a question.

Mr. Taylor takes the Speaker's Chair.

Mr. Speaker: Gentlemen, at this moment we will call a short recess.

Friday, 11:00 am
May 5th, 1967

PRESENT: Mr. Commissioner
SPEAKER: Mr. D. Taylor
ABSENT: Councillor MacKinnon

Mr. Speaker: I will now call Council back to order and Mr. Shaw I believe you had a question at this time of Mr. Commissioner?

Mr. Shaw: I have had an invitation, for which I am certainly grateful, from the Yukon Territorial Government for a dinner on Sunday May 28th in respect to the coming visit of H.R.H. Princess Alexandra, and I note in the corner there is "Formal Black Tie". At that dinner we have I believe people that have been invited from all over the Territory, from Carcross and Old Crow and Dawson and so on. These people do not have these slinky suits to appear at such formal dos; it is absolutely impossible and I feel these people should have the opportunity of accepting this invitation if they possibly can and my question would be Mr. Chairman, would it be possible for the Yukon Territorial Government to consider taking this restriction from this invitation and permitting the Princess to view the citizens of the Territory in their normal attire?

QUESTION RE BLACK TIE

Mr. Commissioner: Mr. Speaker, all I can give you is my own personal reaction to it and that is this, that I think the idea of the Princess coming here is to see as many people in the Yukon and expose herself to the view of as many as possible and I say this personally, and I look upon this type of restriction here as quite unnecessary and certainly I don't know what we can do about getting the situation a little bit easier on us but I would be quite prepared to contact the people in my administration who are responsible for this and answer Council right after lunchtime Mr. Speaker.

ENTER MR. MACKINNON

My own personal attitude is that I am sure that anyone and everyone who is invited to this dinner should certainly not be prevented from coming to this. Some of them have to travel many hundreds of miles to get here and we should certainly make it as easy and reasonable as possible for them to get here.

Mr. Shaw: Thank you Mr. Commissioner.

MR. SHAW RESUMES THE SPEAKER'S CHAIR

Mr. MacKinnon: Mr. Speaker, is there any more than the black tie involved in this deal?

Mr. Speaker: The question has been answered Mr. MacKinnon.

Mr. MacKinnon: Yes, but I am wondering if there's any additional formalities.

Mr. Speaker: The question has been answered.

Mr. MacKinnon: Sorry I was a little bit late Mr. Speaker.

Mr. Speaker: You are a little bit late, yes.

Mr. MacKinnon: Maybe I can make enquiries?

Mr. Speaker: Have we any further questions? What is your pleasure at this time gentlemen?

MOTION: TO CONVENE INTO COMMITTEE

Mr. Boyd: I move Mr. Speaker do now leave the Chair for the purpose of convening into Committee as a whole with the purpose of discussing bills, sessional papers and motions.

Mr. Southam; I will second the motion.

MOTION CARRIED

Question called on the motion MOTION CARRIED

Mr. Chairman: Gentlemen we will be discussi . Bill #12 - Public Service of the Yukon Territory. I will declare a short recess.

RECESS

ABSENT: Mr. Watt
PRESENT: Mr. Commissioner & Mr. R. Strong - Personnel

BILL #12

Mr. Chairman: I will now call Committee back to order and we have Mr. Commissioner and Mr. Strong with us to assist in discussion of Bill #12. Right gentlemen, the next section is Section #25 - Misconduct. (Reads)

Committee: Clear

Mr. Chairman: Next is Section 26 (Reads)

Committee: Clear.

Mr. Chairman: Next is Section 27 (Reads)

Mr. Southam: Now Mr. Chairman, it says in here that if you suspend this employee for a certain length of time he gets no remuneration. What about if he is proved not guilty of this accuaation. Is he going to be out of work all this time and get nothing? Has he got no recourse to anybody for wages? Is this the way I understand this or can they go out and get another job in the meantime or what? This is a thing I don't quite understand.

Mr. Commissioner: Could I ask Mr. Strong if he has any comments on that?

Mr. Strong: It does not prevent the suspended employee from taking employment elsewhere in the meantime. There is no provision to hold him back from earning a living in the meantime.

Mr. Southam: Then again, if this said employee is under a shadow of doubt it is not very likely he is going to get a job in a like occupation and therefore it does to me interfere with his possibility. He may have to leave town, he may have to do this or the other thing, and it seems to me there should be, in a case where they are not proved guilty, there should be some recompense to them, because you are creating something there that is not just right to my way of thinking.

Mr. Commissioner: Could I ask the Councillor a question here Mr. Chairman? Do I understand the situation now; we have an employee who we have suspended - basically it must have been a pretty good reason or he would never have been suspended - we will say this man is off work while this matter is being investigated for a period of three months; now you were saying at the end of that period of time if it has been proven that he was not guilty and by virtue of this he was not really... entitlement isn't the word... but he was not entitled to the suspension therefore you were saying that he should have recourse as far as his wages for that time are concerned. Now is that what you were saying? BILL #12

Mr. Southam: That's what I mean.

Mr. Commissioner: I would like to ask Mr. Strong this, Mr. Chairman. Wouldn't this be part and parcel of an arbitration board's decision in this matter to recommend that this man would get full pay and allowances for the time he was suspended? Wouldn't this be the function of an arbitration or an appeal board in a matter of this nature?

Mr. Strong: Under this section here on suspension it comes right back to yourself and a board that you may have set up to investigate proceedings. Under this section here if the man should not have been suspended he would be re-instated and re-imbursed for that period of time.

Mr. Commissioner: Where does this say this?

Mr. Strong: This is section 27(3)(b).

Mr. Commissioner: And the rescinding of the suspension automatically means that he has been on the payroll although he has not actually been there.

Mr. Strong: Yes, and this is struck from his record. He is not guilty. If you rescind a suspension you rescind it in all matters.

Mr. Southam: He would be automatically paid.

Mr. Strong: Yes.

Committee: Clear.

Mr. Chairman: Next is Section 28 - Political Partizanship. (Reads).

Committee: Clear.

Mr. Chairman: May I ask from the Chair a question of Mr. Strong. Apparently there have been some very great changes in relation to political partizanship and members of government in the public service. Is this in conformity with those changes to date?

Mr. Strong: To the best of my knowledge it is. This is one section that we weren't knowledgeable of up here and we asked Mr. Ritchie to put this is. He wrote this up in conjunction with the latest changes in Federal legislation to date.

BILL #12 Mr. Chairman: Does it not seem odd that a man can take leave of absence to run for nomination but he can't support a political party. I mean one place you allow him to be a candidate and if he loses he gets his job back, why then should he not be able to engage in active work for a candidate?

Mr. Strong: To be quite honest with you I wondered about that myself.

Mr. Commissioner: I would suggest Mr. Chairman, maybe this is not too unreasonable. You are not preventing the man from running for office himself. In other words we will take a situation that Mr. Clerk wants to run in an election where political parties are involved and he applies to his superior for leave of absence to do this. Now this would be a very clean-cut and proper exercise of his rights in a democratic country. Now on the other hand he does not wish to be a candidate but he wishes to work on behalf of a candidate and possibly that candidate is suggesting and standing on policies or running on a party platform whose policies are completely and totally at variance with the party who is presently in power and is giving this man a pay cheque. Now would you not feel Mr. Chairman that possibly, we will say that Mr. Clerk loses in the election and he comes back to work, now his employer is going to feel that he hardly knows whether he has a loyal supporter of his policies or not, does he?

Mr. MacKinnon: Well Mr. Chairman, I think the Canada Election Act handles this quite nicely and - are you familiar with the Elections Act Mr. Commissioner? I believe that before we go any further in discussions I am going to say that this is contrary to the Elections Act and has this been analysed by anyone or did we just bring this before Council as a matter of formality without looking into the Elections Act? This is contrary to the Elections Act and do we have a Legal Adviser here? This goes against our own constitution in the Yukon, not only the Canadian Elections Act, and I would like for you to go a little deeper into this because to me this could well be left out because it is very well covered and very well handled at the present time and very uncalled for in this paper, and I would like to hear Mr. Commissioner's comments in regards to what I have to say.

Mr. Commissioner: Well as we are going through this Bill specifically for information and commentary purposes I would like to suggest that the comments of the member would be very carefully noted and we will certainly make sure that when we wrap up this Bill in its final form we are going to be able to assure Council that this does not in any way contravene or is in conflict with any presently constituted Territorial or Federal legislation.

Mr. Strong: I would wonder why Justice would put this section in and pass it down here without considering something like this in the first place. I'm the first to admit that I am not up to date in the Elections Act. Perhaps the Councillor could explain to us how it is in contravention?

Mr. MacKinnon: Mr. Chairman, your Justice Department made it quite plain that he was not aware of this particular Bill and had very little knowledge and his nine pages of explanation and rebutting sections of this Bill were not taken into consideration and these statements were made by the Legal Adviser yesterday afternoon as you recall.

Mr. Shaw: Mr. Chairman, in this particular section I agree with this section. It allows these people the same democratic rights that we have when extending to a position where they will be having two jobs at once. I would just have one comment though, that any of these people working in the Territorial Government that decide to quit the Government and decide to become a Territorial Councillor would sure have holes in his head, but we will just let it go at that.

Mr. Chairman: I note gentlemen, there is no prohibition under the Territory but I don't know about the Federal.

Mr. Southam: Mr. Chairman, here again you will find I think that the Civil Service is changing and I also believe that in the House not too long ago, maybe a week, that this thing was brought into being more or less and a Civil Servant can now get leave of absence to run as a candidate in any election. This has just been brought through the House.

Mr. MacKinnon: Yes Mr. Chairman, in reference to what Mr. Southam has said this is an agreement in the House but I don't believe there is any agreement that says that he will return to his prior position after - win, lose or draw - and this is a matter for consideration I believe at this time.

Mr. Strong: When a person is given leave of absence they are always given leave of absence from the position they were in and return to the position they were in upon their return to the service. This is standard practice.

Mr. MacKinnon: Well Mr. Chairman, this is a very easy way of putting it but isn't there stipulations as to whether the conditions might be health or benefit to the individual. You can have leave of absence for health purposes yes, and there is several stipulations which I am sure you must agree. It is not only a leave of absence to run for an elected member.

Mr. Strong: If a person has leave of absence for health reasons and returns to the Service completely cured or in the same or better capacity than when he left, they are re-appointed to their old position, they don't lose anything. If they come back and are not capable of performing their duties at the same level, then naturally some other arrangement would be made to accommodate them in the public service.

Mr. MacKinnon: Mr. Chairman, this is a very very poor answer. I mean we've accomplished nothing. The question

BILL #12 was, is there a difference for leaving your position in order to run for public office or for health reasons. Is this stipulated?

Mr. Strong: I would say basically not, there is no difference.

Mr. Commissioner: Well Mr. Chairman it depends whether or not... if we pass legislation that gives permission for this, then it can be done but I think Council should understand that at the present time we have no provision for a person to get a leave of absence to run for public office. This is the point in question. Now until we have that legislative permissiveness we cannot do it, it just does not exist. That's all there is to it.

Mr. Boyd: Mr. Chairman, one question. Have you something that says he shall not in the Territorial legislation? Or are you just assuming that he cannot?

Mr. Commissioner: I don't know whether it says he can't or not. I couldn't say.

Mr. Chairman: It states he cannot under the Territorial Elections Ordinance, he cannot run for a member. He can vote but he can't run for a member of the public service, either the Crown or the Territory. However, this would permit him to do so. Are you clear on this section?

Committee: Clear.

Mr. Chairman: We have Section 29 - Lay-offs (Reads)

Mr. Boyd: Mr. Chairman, is there any possibility of this being, shall we say, abused. I don't know who it applies to; I suppose it applies to every employee be he a monthly or an hourly man.

Mr. Strong: Yes Sir.

Mr. Boyd: Now I may be very interested in the diggings in the north country - prehistoric and so on - and I could ask for a six-months lay-off, a twelve-months lay-off, even two years. My job is assured, that I will come back to it. In the meantime I have gone off and been gainfully employed elsewhere. This could quite possibly take place couldn't it?

Mr. Strong: No I don't think so. This is not the intention of this section. This section is designed to cover the situation where, due to a cut-back in budget or something like this you no longer require the services of a certain section of your public service and you are forced to lay them off, there's just no work. This means they have certain rights up to a period of two years. If you are presently employed and you want to go some place else and the Commissioner would give you leave of absence, without pay say, this comes under another section, this comes under regulations.

Committee: Clear.

Mr. Chairman: Next is Section 30 - Order of Lay-off. BILL #12 (Reads)

Committee: Clear.

Mr. Chairman: Next is 31: Holidays. (Reads)

Committee: Clear.

Mr. MacKinnon: I am wondering if the Commissioner has taken into consideration August 17th - Discovery Day, and whether he anticipates declaring this as a holiday.

Mr. Chairman: Gentlemen, this is included in (g) - Discovery Day. May I proceed? Section 32. (Reads)

Committee: Clear.

Mr. Chairman: Next is Section 33. (Reads)

Mr. Boyd: Mr. Chairman, one question: Under Pay, Section 32, Subsection (2): "The Commissioner may make an appointment to a position or to positions in a class at a rate of pay higher than the minimum rate applicable to that position or class." Now let's say you have a stenographer I guess. She is a stenographer by rate, now she may be, shall we say, an extra good stenographer and you don't want to lose her, she wants to quit for another rate; you have no other way of classifying her but the Commissioner could raise her pay over what is the maximum of a stenographer without changing her category. This is what I have been talking about in this bill all the way through. A stenographer starts off to be a stenographer and hired at a certain figure and the next day as far as that goes the Commissioner can move her up a notch without declaring her as such. This is the confusing part. Why would you raise her salary in the first place? Why wouldn't you change the category. I haven't seen what you've got but this is a case of hiring a stenographer but you can if you want hire a super-stenographer and pay her as a super-stenographer.

Mr. Commissioner: Mr. Chairman, I see the point Councillor Boyd is raising and he is quite right, but that is not the point that is referred to here. We will say that we have a classification in the stenographic section, say S2, and the pay scale for this is a minimum of $3000 and a maximum of $4000 a year. This indicates here that the appointment may be made at higher than the minimum but you certainly cannot go beyond the maximum in that particular category.

Mr. Strong: Definitely not. This implies that if you hire a stenographer on, say, it is a clerk-stenographer 2. Suppose she held this position herself for several years and is well experienced and left the service and came back, she may have gone outside but she comes back to the service. She is worth more than the minimum for that class. You might only be able to hire her on because of the competition at $3500. We can't do this (inaudible). We are restricted to the minimum for the class.

ENTER MR. WATT

BILL #12 Now suppose you do an annual pay survey effective April 1st, well by the end of the six month period the minimum that other companies are paying for that class may have gone up $10 or $20 a month. Now this kind of provision gives us the flexibility to move up to our competitors. It recognizes experience increments for teachers, if you will. I think that is a fair comparison.

Mr. Boyd: Well I do not have this authority at the present time, does it not exist at the present time?

Mr. Strong: No.

Mr. Commissioner: Mr. Chairman, when we start by supposing that the only way that we can handle this at the present time is by the very means that you are talking about Mr. Boyd, and that is the very thing we want to get away from and that is that the only way we can hire a more experienced person now is to reclassify that person before they are hired into the next higher bracket and this is the very thing we want to get away from because all the classification falls flat on its face. The way it is now if the salary range for a position is $3000 to $4000 a year and the annual increment to get to that $4000 are is probably $200 a year, we must hire at that $3000 and we must give that increment of $200 on an annual basis, and the way that we're overcoming that now is by re-classifying that person up into the next classification which is totally wrong and it is the very thing we're trying to get away from.

Committee: Clear.

Mr. Chairman: Next is Section 34 - Regulations. (Reads, each subsection being individually cleared by Committee)

Mr. Chairman: This will of course be referrable back to the section on appeals, is this correct Mr. Commissioner?

Mr. Shaw: Mr. Chairman, I have one question: regulating holding of offices and positions outside of the public service. Is it permissable at the present time for a Territorial Government employee to also operate another business on the side or to work for other people on the side - you might call it moonlighting or something - is that in competition with private enterprise, is that permissable at the present time?

Mr. Commissioner: I am not knowledgeable of anything that prevents it Mr. Shaw, but maybe Mr. Strong is.

Mr. Strong: This is designed to prevent, say, an employee from working 16 hours a day, one job with the Territory, one job with someone else, and due to the nature of the work that he's not doing for the Territory, he is therefore unable to perform his duties with the Territory in a good capacity.

Committee: Clear.

Mr. Chairman: Gentlemen at this time I think we will eclare a short recess until two o'clock.

RECESS

COUNCILLOR WATT ABSENT

Mr. Chairman: Gentlemen, at this time we will call committee back to order.

BILL #12

Mr. Boyd: Mr. Chairman, Councillor Watt asked me to inform Council that he would be somewhat late this afternoon and I am doing so.

Mr. Chairman: Item 'M' has been deferred, gentlemen, and 'O'(reads item 'O')

All: Clear.

Mr. Chairman: 'P' (reads this item)

All: Clear.

Mr. Chairman: Sub-section 2 (reads sub-section 2). I imagine gentlemen, the words 'for bargaining agents' should be removed out of lines 3 and 4 and then it would read 'a board to determine units of employees appropriate for collective bargaining , to certify bargaining agents for bargaining units and to hear complaints by such agents or by employees.'

All: Clear.

Mr. Chairman: Mr. Clerk, would you see to that?

Mr. MacKinnon: Mr. Chairman, when we make these changes I believe that we should have advice from the Legal Adviser- I believe that is his duty. I don't believe it is appropriate for Councillors to implicate changes and this type of thing. Could we have the Legal Adviser at this time Mr. Chairman?

Mr. Boyd: Gentlemen, I have noted this question to advise the Legal Adviser but I do believe the Legal Adviser is busy and if the committee so desire we can always have him brought to the Chambers.

Mr. MacKinnon: Mr. Chairman, I think this is the duty of the Legal Adviser. We can say all sorts of things and re-interpret but what have we a Legal Adviser for? This might be in conflict with the Section we already went through and I believe it is very necessary at this point to have a Legal Adviser here, Mr. Chairman.

Mr. Boyd: Mr. Chairman, with regard to Mr. MacKinnon, we are merely changing it now for the attention of the Legal Adviser who will go through and study it and then come back to us with something according to what we think will be acceptable. I don't see any need to have him here when he is going to go through it anyway and study it.

Mr. MacKinnon: I'm fully aware of what Mr. Boyd has just pointed out, Mr. Chairman; we are changing it but the necessity of changing it is the point, from a legal interpretation as to whether we should change it or not.

BILL #12 Mr. Chairman: Gentlemen, just for Mr. MacKinnon's edification, there is a typographical error and we have removed that - this is all that has been done with this Section. Gentlemen, may we proceed to Section 35. (Reads Section 35).

Mr. Shaw: Mr. Chairman, could Mr. Strong explain that particular Section?

Mr. Strong: This particular Section gives the Commissioner an out to all employees that he wants to exclude from the provisions of this Ordinance. In other words, if he wants to take any contract employee, be it teacher or a garbage collector at Ross River, then the provisions of this Ordinance don't have to apply. He can say fine, it is separate and distinct and we won't bother with it. They set up their own terms and conditions right within the contract (inaudible) Just for further clarification, perhaps in relation to teachers, the Personnel Officer keeps track of their attendance and their leave and this sort of thing. Now in this sense I suppose the provisions of this Ordinance apply in a way. Perhaps it is just that we enforce for Harry Thompson some of the provisions of the school's ordinance. We do all the dog work for him. I don't know whether this means that this Ordinance takes precedence or the Schools Ordinance.

Mr. Chairman: Clear?

Mr. MacKinnon: Mr. Chairman, we are down to Section 35 and to me the entire new Ordinance plainly states 'give the Commissioner full control to do whatever he likes' and to me, as I read this Ordinance, it seems to matter less which paragraph you move to that you are offering the Commissioner full control, full powers to do as he sees fit. Am I correct?

Mr. Chairman: May we proceed? Next is Section 36 - Application (reads Section 36).

All: Clear.

Mr. Chairman: Under Transitional, Section 37 (reads Sec. 37).

Mr. Shaw: Mr. Chairman, sub-section 3 means that they can't demote them on account of that - is that correct?

Mr. Strong: That is right. It means (inaudible).

Mr. Chairman: Section 38 Repeal (reads Section 38).

All: Clear.

Mr. Chairman: Section 39 - Coming into Force. (Reads Sec. 39). Is this clear?

Mr. Boyd: No, not quite. I think they have done with this "so help me God", in Ottawa and if you, that was on account of somebody described as an aetheist or something of this nature. There has been a lot of talk about it - a lot of controversy. Is there anybody who can say whether I am right or wrong?

Mr. Strong: I really don't know what they've done in Ottawa. My interpretation of course is that it is the individual's choice. If he wants to take the Oath he can or if he just wants to affirm he can and if he affirms he doesn't add 'so help me God'. If he is willing to take the Oath and wants to take the Oath then he adds 'so help me God'.

Mr. Boyd: I don't agree with that reasoning. You are putting the man on the spot. You are making him declare himself. It is all right to swear something so help me, if you want but I don't think you should define as to which way he shall go and I think the 'so help me' has been left out in some of the House of Commons.....Would you look into that please?

Mr. Strong: Right.

Mr. MacKinnon: Mr. Chairman, I don't agree with Mr. Boyd. this is very very true and this has been left out in so many cases. Now in the United States we have what we call the Fifth Amendment and you can escape such things as this and now in Canada they are attempting to escape.

Mr. Chairman: Gentlemen, this concludes reading of Bill No. 12, with your notations. What is your further pleasure at this time.

Mr. Thompson: Mr. Chairman, I would just ask if Mr. Strong has any suggestions or modifications that haven't been included in this prepared brief or does he feel the draft Bill is in accord with the original principles and covers the Public Service members in a ways which he felt should be as amended.

Mr. Strong: I think you people have brought up some good points which need to be investigated. Perhaps I can just go over them (1) the Oath (3) the appeals and (3) this probationary period. Are there any other aspects of this that you would like us to look into and investigate and report back.

Mr. Thompson: Mr. Chairman, you intimated yesterday you had not seen the comments of the Legal Adviser and I think that although we haven't seen them either, direction should be taken from them to see to what extent they differ from this submission and also how it could conceiveably improve or change.

Mr. Strong: I fully intend to go and visit with him and find out exactly what the situation is.

Mr. Boyd: Another point, Mr. Chairman. While (inaudible) harping on yesterday under 'Classifications' I feel that surely we could get that whittled down a little bit, it is repetition, every paragraph.

Mr. Strong: I would have to agree. It is actually giving the mechanics of the thing. First of all you set up a classification plan and then give authority to amend it and this is all mechanics. You can simply say the Commissioner has the power to classify.

Mr. Boyd: In other words you feel that this will be pretty well reduced to one paragraph or something of this nature.

BILL #12 Mr. Strong: I think perhaps it could.

Mr. MacKinnon: Mr. Chairman, in view of the Ordinance we already have in respect to Bill No. 12, Public Service Ordinance, I believe we are better off with the existing Ordinance that we would be with the recommendations that have been forthcoming in the proposed replacement of this Ordinance and I think it boils right down to more powers to the Commissioner. Every paragraph indicates that the Commissioner may do as he sees fit and in view of the staff changes in the Territory, I think this is a very, very dangerous thing at this time and I believe these people working for the Territorial Government should have some form of protection against the elements and at this time I am stating the Commissioner as the element and, so when you put these powers within one man's jurisdiction you are treading on very dangerous water. He may do as he sees fit and the meaning of this new Ordinance plainly makes these statements in various parts that we have good ideas but let us rely on the Commissioner to do as he sees fit. And personally, as a man of private enterprise, I do not agree with this. I think this is a man's world, so to speak, and why give the Territory and the Territory's privileges to the Commissioner, a man who is being paid a salary. I don't believe in this at all.

Mr. Chairman: Anything further before we leave this, gentlemen?

Mr. Shaw: To elucidate this, Mr. Chairman, what powers has the Commissioner under this....?

Mr. Strong: Section 4 of the present Public Service Ordinance reads 'The Commissioner has the management and direction of the Public Service.'

Mr. Southam: Mr. Chairman, I think that is what the Commissioner is for; he is the manager of your business and if you don't give him powers what is he going to do; what have you hired him for; what is he there for. After all this is your guidelines and you will find out in a year or two who has the power.

Mr. MacKinnon: I would like this statement defined 'You will find in a year or two who has the power'. Now is Mr. Southam making a suggestion as to who might have the power- if so I would like to hear his reply.

Mr. Southam: I think you will find out without me answering that.

Mr. Chairman: Gentlemen, may we excuse Mr. Strong.

BILL #14 Gentlemen, we will proceed to Bill No. 13. I will proceed with the reading of the Bill - pardon me, Bill No. 14.

LYNN BUILDING Mr. Boyd: Mr. Chairman, if I may. Weren't we going to deal with a Sessional Paper concerning the Lynn holding?

Mr. Chairman: Do you wish to deal with that at this time?

All: Agreed.

Mr. Chairman: We have a motion in respect of this.

Mr. Shaw: Mr. Chairman, could we have the Commissioner here at this time?

Mr. Chairman: Gentlemen, do you wish to take the Sessional Papers in sequence? Mr. Clerk would you see if Mr. Commissioner is available? I'll declare a short recess.

SESSIONAL PAPER 118

Mr. Chairman: Gentlemen, I will call committee back to order at this time, and we were discussing Sessional Paper No. 118 (Reads Sessional Paper #118 = Office Accommodation Yukon Territorial Government, Lynn Building). Gentlemen, we also have a Motion, you have the tabled document before you, and we also have a Motion moved by Councillor Taylor, seconded by Councillor Thompson that the amount of $118,456 designated in establishment 828 of Vote 8 for rental space in the Lynn Building be deleted by transfer to another primary for the purpose for the purpose of retendering a contract for rental accommodation in Whitehorse. Mr. Southam will you take the chair.

MOTION RE RETENDERING FOR SPACE

Mr. Taylor: Mr. Chairman, finally we have the document tabled in relation to this agreement. I can only reiterate what I said in the first instant in relation to the Motion that it is not, in my opinion, in the interest of the people of the Yukon Territory to proceed with this particular agreement. I would point out that the agreement itself is null and void. It has no legal tenure in relation to Section 26 of the Financial Administration Ordinance which I will restate again: 'It is a term of every contract providing for the payment of any money by the Territory - payment thereunder is subject to there being an appropriation for the particular service to the fiscal year in which any commitment thereunder would come into course of payment.' There was not approved in the budget to my knowledge any amount and I notice here that the Territory has paid one dollar and the Lynn has paid one dollar in respect of this agreement and I feel that this is contrary to the - there was no vote provided for that I know of in the budget for that fiscal year, or in the supplements for that fiscal year. Therefore, gentlemen, under Section 26 of the Financial Administration Ordinance this agreement is in effect null and void. Now what we must concern ourselves with is Sessional Paper #118, or I should say the Motion, that this amount be deleted and I feel very strongly in view of the fact that this was only tendered on a fifteen day basis, or less. I believe I talked to some of the people who did look into this one but whether or not they tendered I'm not too sure and they said by the time they saw it there wasn't sufficient time to the engineering study done. I talked to other people who made a, or tried to get a fast engineering evaluation done to submit a tender but in the - was going to cost $4,000- one of the unsuccessful candidates, and in an effort to try and meet the less than two week deadline - the two weeks in which they had to do this, and it is interesting to note that when we have a wood contract usually it is four to six weeks, a small Territorial contract; on all other things, but when we got

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PAPER #118 Mr. Taylor continues...

down to this particular item, a million dollars, of the taxpayers money being tendered in less than two weeks. All in all, as I say, we have not complied with the normal practices of Council in respect of the initial tender-when the Motions referred to in Sessional Paper 118 were proposed it was on the understanding that there was no way out and Council or no member at any time had any knowledge of Section 26 of the Financial Administration Ordinance as it applied to this particular deal or otherwise members would have felt differently as many have stated here. And, I do not feel that I would be content to say 'oh, well, fellows, you have made a mistake, don't do it again' because by accepting, if we accept this amount on the budget of $18,456 we accept in principle or we accept in fact that the administration could get off the hook for doing such a thing merely by going to Council and saying 'we made a mistake and we won't do it again'. What you would be doing in effect is establishing a very dangerous precedent I think. So, therefore, Mr. Commissioner, Mr. Chairman, pardon me, I would state that in my opinion this should be thrown out of the budget and placed, as the motion has indicated, into another Primary and that this office accommodation should be retendered.

Mr. Boyd: Mr. Chairman, the time to have taken the action proposed here in this Motion was last Fall and my own whole-hearted support would certainly have been with it at that time. However, Council did elect to accept the bad situation for what it was and allow the Commissioner to go ahead and make the best deal he can and he has done this. So where do you have your responsibility now? I think you are forced to accept the situation as it is rather than create another one that might be considerably worse as time goes by and so on. The Commissioner has agreed to an extra two months but I know it is closer, actually four months and the rent indicates it is six months but that is their business. They don't need to get into there until next year, fine. They have signed.....something with your blessings and if they have made a bad deal in signing something that is not binding as to time, then that is up to them to get out of it. I greatly fear they will probably be asked some pretty pointed questions by the Federal authorities who want to move in here on the first of July, or who had planned to move in. However that is their business too - let them row their own boat but I can't see me going against what you already authorized the Commissioner to do-as much as I don't like the situation in the first place I'm prepared now to go along with it out of respect for what you authorized last year. As bad as it is I accept it.

Mr. Taylor: Mr. Chairman, there is no agreement - there was no money specifically appropriated for this purpose in the last budget. According to Section 26 there is no agreement. This agreement is not worth the paper it is written on to date so there is no agreement to date. A new agreement would have to be drafted up in relation to this $18,456 being put in the budget and what Councillor Boyd has stated is that he would have gone along with this wholeheartedly if he knew he had an out under Section 26 of the Financial Administration Ordinance. And I say you had that out. If

Mr. Taylor continues...

anyone has proceeded with building in relation to this agreement, certainly private enterprise would have an opportunity of filling some of the space in that building or the party in the building would retender and possibly the building would be- or a portion of it acquired for a shorter period of time but a million dollars of the taxpayers money is one thing and a very dangerous precedent is another that we are considering here because if you accept this then in the future if such a situation arises again there isn't a court of law in Canada that would recognize the fact that it was done before and maybe it has become common usage that the government spends the taxpayers money without first coming to the taxpayer (inaudible) something said before out of ignorance of Section 26 and I think it would be as unfair to the taxpayer to ask him to pay a portion of this as it would be to the Commissioner to allow him to continue with this agreement and it is as basic as that.

Mr. Shaw: Mr. Commissioner, there are a few things to remember in this particular thing; for example for six months we had no Commissioner and when you have no Commissioner and try to operate a big industry like the Territorial government, an inexperienced person sometimes does things that are wrong and last Fall I, along with other members of Council, indicated as strongly as possible my disapproval at that had been done in that particular instance. We spent some time looking into the matter and finally we made a resolution asking that the Commissioner come to some agreement with the company concerned. He has done that; he has made a deal with them and I am a party to asking him to make that deal. I feel that we have made a deal that is as advantageous to the people of the Yukon as possible and I am satisfied with the course of action that we have taken. It's a very sad state of affairs, Mr. Chairman, and this Council was on record and gives instructions to the Administration to take a certain course of action. After that course of action has been taken, come up later and say due to extenuating matters or issues I was not knowledgeable of at the time, which I think is an admission that we may not be attending to our job as well as we perhaps should, is not a very valid excuse in my estimation. We gave this authority and on the strength of this authority this agreement was entered into and certain private persons, and I can assure you Mr. Chairman I would not know this man from Adam; I don't think I ever talked to him in my life. I might have done but I don't recollect. Certainly it was not on the basis I know who or what he is or anything about him. So, he or they have gone to considerable expense in starting this operation. Now if this particular matter were left in abeyance it would appear to me that this person would suffer huge financial losses. He would no doubt, if I were him certainly institute proceedings to see what he could get out of it. I would anyway. And that would be due to the fact that this council had reneged on direction on an agreement they had made six months ago. It is a case of what is the value of our word- what is the value of what we asked Administration to do. Those are the things that I would ask Council to consider Mr. Chairman. This is something they have requested, directed or whatever you may call it, for certain course of action to be taken and course of action has been taken which involved, no doubt, a great deal of discussion and a great deal of capital expenditure on somebody's part.

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PAPER #118 Mr. Shaw continues....

I don't think that we should lightly throw that out and certainly not myself after having been instrumental in giving this agreement. This is what I did in the fall, Mr. Chairman, I agreed to this and I feel I am obligated as a man to uphold my agreement.

Mr. Taylor: Mr. Chairman, in relation to that I just want to say I have nothing personally against the individuals involved here. What I am opposed to is the detraction from what is normally the right of the people and to ensure that no precedent is established which would come up with this. Now this was done in a very strange, strange manner- one which I have not fathomed and I leave them for you to decide but it was done by the Administrator when there was no Commissioner. But it was not done by an inexperienced person. When asked about this matter by myself, if the Administrator had agreed to this the reply was 'no one, Mr. Chairman, we didn't consult Ottawa at all. This was a Yukon matter and there was sufficient authority in the legislation'. In other words one man has gone and committed one million dollars of the taxpayers money just because he wanted to do it and this is not the way governments anywhere in the civilized free world do business and there is no reason why this government should do business too and in fact there was sufficient authority in the legislation - now I don't know what authority and what legislation and no one seems to know because there is no legislation which permits this anywhere in Canada that I know of and if there is it should be immediately repealed. Now Ottawa was not consulted and the Council was not consulted. This was done strictly between two individuals, you might say. A tender was called - 15 days - you and I both know, gentlemen, we all know, this is too short a time to consider one million dollars of the taxpayers money and further, Mr. Shaw has stated 'what is the value of our word' - well what is the value of our integrity and our responsibility to the people of the Yukon and I would like to remind Councillor Shaw that it is a very sound person and a good person who can recognize his mistake and correct it but to go blundering on making worse a situation which is already bad is not in my opinion good responsibility. There comes a time when one must do these things and it is not a very nice thing to do and this was an innocent mistake on behalf of the members of Council in relation to the fact that they did not have all the information. No one came up to us and said now, fellows, we should really tell you that Section 26 won't permit this unless you appropriate the money. Nobody did that last Fall. Now maybe the administration were not aware of this but remember this none of us had noted that section and no one in the administration came up and just, you know, pointed out - now fellows there is this possibility. We were all kind of thinking that a law suit could be entered into because this agreement or letter of intent had been signed by the Administrator, or whoever, so, I do not feel it is the responsibility of the taxpayer of the Yukon to condone this and I say this that by reversing your decision in this regard is not a dishonorable thing. As a matter of fact I say it is a very honourable thing. I know of no one on the street or anywhere throughout the Yukon Territory that I have heard of that is in favour of this agreement. And, as I say I have nothing personal

Mr. Taylor continues...

against the gentleman involved here at all but I do oppose very vigorously on behalf of the people I represent, and that is in this case all the people of the Yukon, to my knowledge they are opposed to it and I must also oppose it. And were they possibly in favour of this I could still not honourably as a man accept this principle and to accept it now is to establish a very, very dangerous precedent and do a disservice to the people of the Yukon.

Mr. Shaw: Mr. Chairman, can we recess and have a spot of tea?

Mr. MacKinnon: Mr. Chairman, before we go to tea I would like to refer to page 611 in the last session where advice was given to the Commissioner, a Motion presented by Mr. Thompson, and - would you like to me read the Motion or..

Mr. Chairman: It has already been stated, Mr. MacKinnon - the Motion has been read on the Sessional Paper. It is right here.

Mr. MacKinnon: I believe you are wrong Mr. Chairman, I have to go contrary to your thoughts - this happened a session ago and this Motion in content was asking the Administration to proceed with the lease agreement on the Lynn holding building to the most advantageous terms within the confines of the tender called, and Mr. Chairman would you like to call me out of order?

Mr. Boyd: Mr. MacKinnon, with all due respect you are a little mixed up with this - the Motion as read it there is on the Sessional Paper.

Mr. MacKinnon: Order, Mr. Chairman. But I would like to ask Council if they have gone through Votes and Proceedings from the last session. I have them here in front of me and they start at page 243 to 245. This is where the end of debate, and in the second volume we continue and start at 260 to 275 and I don't know just what we are getting so deeply involved because do any of the honourable members remember what they stated at that time. Would they like me to read from Votes and Proceedings page upon page of their discussions at the last session. Are they aware of what the discussions consisted. Now we go farther into this matter and I find only one member voted contrary to Mr. Boyd's, or Mr. Thompson's motion and that was Mr. Boyd. Mr. Taylor as Chairman did not record his vote; therefore it had the full support of Council and I reiterate Mr. Taylor it had the full support of Council and you did not record your vote. So, if you were against what you are discussing now then you didn't show your true colors.

Mr. Chairman: Mr. Chairman, I would just like to point out if the member has done so much reading he will find my comments in the part - chair - and two members of Council being opposed to it I don't think means that Council gave its full support.

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

Mr. Chairman: I will call this Council back to order and we were discussing Lynn Buildings, and will you carry on gentlemen. SESSIONAL PAPER #118

ABSENT COUNCILLOR WATT

Mr. Taylor: Well, Mr. Chairman, I have had my say on the matter and as I say before I resume the Chair I hope you gentlemen well agree to this motion and delete this from the budget and have it retendered and clear up this matter.

COUNCILLOR TAYLOR RESUMES THE CHAIR

Mr. MacKinnon: Well, Mr. Chairman, now you have a seconder for the Motion at the present time Mr. Taylor?

Mr. Chairman: There is a seconder for the Motion, Mr. MacKinnon.

Mr. MacKinnon: Well, it looks like we may as well bring it to test right now.

Mr. Thompson: Well, yes, Mr. Chairman I am the mover of the original Motion and at that time was in accord. I suggested the administration proceed with the agreement. But at that time there was no lease agreement. The lease agreement hadn't been entered into until this year, and I also believe that the same as Mr. Taylor has mentioned that that had we been fully aware of the implications and the knowledge that there was in fact an out for us things would have been entirely different and we would not have ended up with an agreement such as this. And this was the reason that I have seconded the Motion at present on the floor. I feel that when we originally made the decision that we did not have all of the pertinent facts. And I think another matter that should be remembered that was that a year or so ago when we were comtemplating buildings or building a liquor store in Whitehorse it was felt that the cost could be curtailed to such and such a price. That it would be more advantageous to rent than to build. But it has increased over this minimum price and I think at that time it was $2.50 or $3.50 so even doubling that cost it would seem to me on the basis of these figures it would have been more advantageous for us to have built the ediface ourselves and been in a more favourable position. Not only with the people of the Yukon, but it would conceivably been a start of the Territorial buildings which would enchance our position with Ottawa for the furtherance of Territorial office space. So this is my reply why I seconded this motion at this time and those are my reasons.

Mr. Shaw: Well, Mr. Chairman, to agree with this motion I think would put the Territory in the whole in disrepute at this time. This should have been, if it was to be taken out should have been last fall. Certainly not at this stage of the game. I think that if this motion were agreed to the parties concerned, the offended party I should say would have every reason in the world to sue the government. Maybe sue the Councillors I don't know for agreeing to such a thing to go ahead. Well, I would not like to hide behind that immunity. What I do in this Council I am quite prepared to do out in the street or any other place. Possibly I wouldn't lose my temper

SESSIONAL PAPER #118

Mr. Shaw continues...

as much on the street as I do hear, but I have just cause to sometimes. However, to go along with this Motion Mr. Chairman would cause a tremendous uproar all around and the end result, I like to look at the end result, the end result would be nothing but harm for the Territory. It is certainly--a members ego might have been offended by the actions that were taken and there was some cause for criticism of it, but when we passed that all over at great length then it is up to the administration to go ahead and do the best. I think we should back that up. I am prepared to back that up and that is all I am going to say on this.

MOTION DEFEATED

Mr. Chairman: Are you prepared for question on the Motion? Are you agreed with the Motion? Any contrary? I will declare the Motion defeated.

MOTION DEFEATED

SESSIONAL PAPER #116

Mr. Chairman: Gentlemen, is it your wish to proceed with Sessional Papers at this time? The next Sessional Paper is Sessional Paper #116 re Submission - Yukon Territorial Public Service Association.

Committee: Clear

SESSIONAL PAPER #117

Mr. Chairman: The next Sessional Paper is Sessional Paper #117 re Fire Insurance - Porter Creek School.

Mr. Commissioner: The insurance monies are coming on both these very large fire claims. But I think it only right to explain to Council Mr. Chairman that we cannot quite finalize the Elementary School Fire as you will remember the content of Sessional Paper #57. We still have a small amount of work to be done on the outside of the building that has to be put to public tender. It is not a large amount but that is the only outstanding item on this insurance.

SESSIONAL PAPER #119

Mr. Chairman: Clear? The next Sessional Paper is Sessional Paper #119 re Fire Insurance.

Mr. MacKinnon: Well, Mr. Chairman, seeing we are on the same tax structure and the same mill rate as this. In communities where the Territory are providing fire fighting equipment and we move a little farther along in the highway position, and we have the same mill rate--exactly the same mill rate. And there is no consideration given by the Territorial government in mill rates. But nevertheless the price of insurance can be regulated and I think this is very improper. I think the regulation of cost of insurance is a fine thing. But the regulation of taxation is a very drastic thing where you supply your own fire fighting equipment, you get no benefit from the Territory at all. But still you are assessed on the same basis as where the Territorial government is spending thousands and thousnads of dollars in the community for fire fighting equipment. And they are asking some poor bobby not within the jurisdiction of the community to pay the same mill rate and I am wondering if the Commissioner has any comments in regards to this?

Mr. Commissioner: Mr. Chairman, I have no comments in regard to it except that basically what the Councillor has to say Mr. Chairman is very true. And all that I can

Mr. Commissioner continues... SESSIONAL PAPER #119

say is that I am hopeful on the basis of instruction of Council here in connection with fire insurance at least will try to expose the situation and find out whether or not in fact these rates that are being charged are justified. But beyond that Mr. Chairman, I really have nothing to add.

Mr. Shaw: Well Mr. Chairman, one thing it does indicate--in Whitehorse they have the lowest rate and have the biggest fire incidence.

Mr. Southam: I was just wondering why the outside have a 25% surcharge against Whitehorse and I am positive...It is less dangerous fire-wise where I live than what it is in Whitehorse--steam heat. I can't understand this. Somebody is making a little wrinkle up along the lines somewhere. I know it is high because I have paid it. It seems funny to me there is a 25% surcharge in all the rest of the--but I notice there has been a reduction in some of the fewer places. I don't know, boy this insurance business is beastly.

Mr. Commissioner: Mr. Chairman, when you see a rate quoted here, a possible rate of $4.00 per hundred for fire insurance it is a pretty drastic looking situation, believe me.

Mr. Thompson: Within the past two years the private dwellings in the following areas have great reductions, but they don't say what this has come down from. From $4.00 to $3.75 or what. So I think this is something that certainly appears should be looked into and as the Commissioner says now that we have given him the go ahead on this inquiry with the rates that I think...sufficient at this time.

Mr. Chairman: Agreed, gentlemen?

Committee: Agreed

Mr. Chairman: The next Sessional Paper is Sessional Paper #120 which I believe was read in Committee yesterday by Doctor Sprenger and defeated. Are you clear on that? That was the Ross River Nursing Station. The next item is Sessional Paper #121 re Shakwak Valley Community Club. SESSIONAL PAPER #120 SESSIONAL PAPER #121

Mr. MacKinnon: Well,Mr. Chairman, I represent the area and I am not in full agreement, no. And, I am willing to face the people of Haines Junction and express my opinions why I am not fully in favour. This is setting the precedence for the Territory and from the Government point of view we are setting the precedence where we are establishing the right for community clubs to go into the real estate business. And as an individual and a private citizen of the Territory I am very opposed to Territorial monies being turned around and directly going against private enterprise. And I think that we should have--if this is the Commissioner's idea of disposal I suggest that we have conditions. And the conditions that I would suggest should be that this property will be unusable for a commercial type business. And I think that this is a very important stand to take at this time. This is a fine thing. It is a good thing for the club. And I am not working against the club. But, I beleive that there are citizens at Haines Junction that have spent half a life time building this old hall and getting it on the grounds that now exist, 22 and 23, lots 22 and 23. And that this could be disposed by sale without stipulations of public sale and you could give somebody an opportunity to set up

SESSIONAL PAPER #121

Mr. MacKinnon continues...

a business with this building in opposition to the persons that have contributed twenty years to the building of this building. I believe that and maybe I am being off-base from a political point of view. But I believe that there are principles that are involved and I think Council should take a serious look and I am very surprised to see this paper before Council when the Commissioner has these powers of control. And to put it before the elective members at this table to decide on and I know September 8 I must face these people for reelection. But I will not face those people for reelection without exercising my principles. And my principles are is this fair. Is this a fair policy to establish. And I would like to hear from other members of the Council.

Mr. Thompson: Well, Mr. Chairman, in as much as this is a submission from a community club that they have asked that they be allowed to buy these lots, I see no reason why it should not be so. The fact that the member from the area didn't bring up the matter as neither here nor there, the Commissioner has intimated that they are a responsible orginization. He has also said that he feels they will not develop the property in a manner which would be considered detrimental to the Community. And I feel that this covers the situation adequately and I would be pleased to agree with the contents of this Sessional Paper.

Mr. MacKinnon: Well, Mr. Chairman, I suggest Mr. Thompson has entirely missed the point. It is not a matter of giving this to the community. It is a matter of disposal. Will the community then have the right of disposal as they see fit. Will it go for public auction or will this be up for sale. I would like for the Commissioner to answer this.

Mr. Commissioner: Could I ask the Legal Advisor to answer this question. I have just asked him this very question, Mr. Chairman. Would that be satisfactory?

Mr. Legal Advisor: Well, it would--I will attempt to answer that in place of the Commissioner. To digress apparently for the moment, we have had over the years in the Yukon many grants to Church groups, kindred affiliations and in the letter...provided that if the land is no longer used for the purposes for which it was granted, then it reverts to the Crown. It is a $1.00 sale and this worked quite well until one or two organizations attempted to dispose of their property which was surplus to their requirements and found that they were stuck with it proviso. So then another view was formed that if they wanted to they could buy land at the going commercial price under the Territorial Lands Act, and under the Yukon Provision. So you really have a choice here. You could in the present case indicate that it would be the view of Council that a recommendation should go to the Minister that this be a reversion type grant. You could do it that way. So possibly the Council--the Committee members would like to discuss that aspect. This means of course than when 20, 30, 50 years from now the community association no longer wants that land, it would revert to the Crown. Quite a usual provision in the early days, although there has been some reaction against this in the past few years.

Mr. Boyd: I really want to start off by asking a question of Mr. MacKinnon. Does the Shakwak Valley Club own the ground by title that the present new hall is on? SESSIONAL PAPER #121

Mr. MacKinnon: Mr. Chairman, I don't think any community club owns--has the title. If they did they would be burdened by taxes. This is the same as church property, at the present time and under present regulations and it is not taxable. The ground that the old hall is on is not taxable. And the Territorial monies and grants for the past number of years have been spent in this particular area of Haines Junction. They are asking now for the title to these lots, Number 22 and Number 23. For a purpose of resale of this property. The buildings completed. And just as I have said before this is a principle involved. Do you make grants and then do you give powers within--I believe that the proper Committee had a meeting of four or five people to conduct the meeting. Do you give them the powers of obtaining by deed the title of this property and putting it for disposal as they see fit. Now this is what the meaning of this paper--the Commissioner and I went into this in some detail before this paper was presented. And, I say yes, it is a fine request from the community club. But I will also make plain that I have not been in agreement with this type of request because you are setting a precedence that is going to be very, very hard to follow because if you are going to give a club the right of disposal of what actually is Territorial property, put it for sale in the open market and give them the right to establish this property in a commercial or a non-commercial basis. And I know that I will hear plenty from Haines Junction, but I am well prepared to listen to the arguments. I have listened to them before. But I am asking other members to take a serious look at this paper and establish the precedence that will be followed in years to come as Territorial policy.

COUNCILLOR SOUTHAM TAKES THE CHAIR

Mr. Taylor: Well, Mr. Chairman, there has already been precedence established for instance the Watson Lake Community Club hold title to the land on which the Watson Lake Community Club is situation on. As a matter of fact we had title to 500 x 500 feet and for a road allowance granted back to the Territorial Government for a fee of $1.00 50 feet off one side. So now we hold it by title--Watson Lake Community Coub 450 x 500 feet. Application has been made for the same thing at Teslin. I am not too sure that they haven't got their title now. This is a good thing. Of course it is under the agreement that that belongs to the community club. And if ever dissolved the community club assets on it and all the improvements on the land would be returned to the municipal government. Of course in this particular instance it would be the improvement district and the village of the municipality. But always those lands are held for the mutual benefit of the community as a whole and for the club while it exists will do what they will. This was necessary in order for us to undertake the large financial expenditure that we have undertaken there. And we pay a dollar, I believe the transfer cost us a dollar on this land and whatever else is involved in the normal deal. We are not paying taxes frontage tax. Of course, because it is a thing for the community now. However, to go further on this like the good people of Shakwak Valley Community Club, they have

Mr. Taylor continues...

said we would like to look ahead at wherever these lots 22, 23, in Block 5 are in Haines Junction somewhere in the Community they see two lots they would like to set aside for the future of their programs and so forth in Haines Junction. They for one thing or another want this property. In any event they have good reason for it. They are a community club. I am in full agreement. I think that if they pay the $1.00 to get the land then there are stipulations. Like anybody else the community club or an individual should have the rights by paying full value for the land, they should have the rights of anybody like you or I going down and buying the same land. And if the community club want to buy it collectively rather than some individual buy it that is their prerogative. And if they pay full price for the price of the land. And it is stated here I believe that they are intending on not getting it for a dollar. Apparently they agree to pay the full price of the thing. And, if they do then I feel that they are quite entitled to buy this land and no one and mostly this Council should not stand in the way of them doing something which normally they can do at any time.

Mr. MacKinnon: Mr. Chairman, if this was the case then this paper would not be in front of us, Mr. Taylor has completely missed and abused the point. I would like to direct a question to the Legal Advisor. Can an organized and registered community club have ownership to property and put it for public sale?

Mr. Legal Advisor: An association registered under the Societies Ordinance has the same capacity to hold land and deal with it subject to any limitations imposed in this constitution as a corporation or an individual.

Mr. MacKinnon: Mr. Chairman, I have a supplementary question. Even if they have come under the benefits of recreational funds for the establishment of this property, then would it not be government property?

Mr. Legal Advisor: ...Mr. Chairman, of course in those instances today where churches are buying land at an appraised market price and they erect a building there, they will be free to dispose of this land in years to come without any restrictions on ... and for a number of years they will not have paid taxes on the grounds so that the payment, nonpayment doesn't affect it or the grants of any recreation funds. Doesn't affect the capacity to dispose of the grounds.

Mr. Southam: Does this answer your question Mr. MacKinnon?

Mr. MacKinnon: Not exactly, Mr. Chairman. The point is this--can the Territorial government give for the sum of one dollar the property to a community for sale?

Mr. Legal Advisor: No, not directly. But what can happen, if it is going to be sold pursuant to the Territorial Land Regulations then there are certain procedures that have to be followed and the market price has to be paid. It is an appraised price. On the other hand, the order in Council putting the land under the care and control and management of the Commissioner could be recinded and the land would then go back to the Queen in right of Canada. Directly under Her control. And could then be made the subject of a patent that way for a dollar with a reversion clause.

Mr. Legal Advisor controls...

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It can be done one of two ways. If it is going to be under the Territorial Lands Act and the Yukon Ordinance--the Yukon Lands Ordinance, then there has to be a going rate price paid. But if it is going to be dealt with by the Queen then it can be sold for a dollar on a reversion clause basis.

Mr. Taylor: Well, Mr. Chairman, I see this as a very cut and dried affair I really do. I have lived with community halls and community clubs and organizations for the nineteen years I have been in the Yukon. As a matter of fact I used to be a resident at 1016 and consequently I feel the request is sound as the Commissioner has indicated here. They would like to buy Lots 23 and 22 which they now have oriented as being the place where their existing hall and facilities are, and they would protect those facilities. And those lots are apparently surveyed. They are 22 and 23 in a black and I see no reason at all why they cannot purchase them like any other citizen can purchase a lot. And, I would therefore move Mr. Chairman that the Committee accept or agree with Sessional Paper #121.

MOTION RE COMMITTEE AGREE WITH SESSIONAL PAPER #121

Mr. MacKinnon: Well, Mr. Chairman, I think this is more serious. Now, Mr. Taylor may be looking at this from a policical point of view, but I am not. I am looking at it from a practical point of view and I will ask the Commissioner at this time just why he brought this paper before Council if things were already cut and dried as Mr. Taylor says. This is a policy the way things are at the present time and there is nothing wrong with it. Then what is this paper. What prompted the Commissioner to bring this paper before us?

Mr. Commissioner: Well, Mr. Chairman under a normal circumstance it has been pointed out certainly there is legislative authority for me to proceed with this request. However, I felt it only right to bring this matter to Council because I think that there is quite a matter of long term policy which Council might want to feel that they are assisting in the decision. Now, as you are well aware gentlemen, we have many community clubs throughout the Territory who by virtue of communities growing in size and in nature, it is very possible that we may be faced with several of these particular type of situations that we have here right now. Now, what I am trying to find out here from Council is this. Do they feel that as community development funds have gone into this intial project of the Shakwak Valley Community Club--this is the one that we have before us right now. It could apply to anyone. Supposing that we sell the lots to the club so that they have proper title to everything at that point in time, does Council feel that if there has been $10,000.00 in community development funds put into this project over here that it is now going to be sold off, does Council feel that those community development funds, supposing this project sells for $20,000.00. Does Council feel that the original $10,000.00 community development funds--do they feel that the government has any right to say to this community club you must assure us that the money you will get from the sale of this is going to go into you know the present community development. Do you feel that Council and the Administration has any right to get their fingers into it at all? Do you feel that if the selling price of

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Mr. Commissioner continues...

this property was far in excess of the total amount of community development funds that had gone into it and there was no other immediate means of using this that these funds should probably revert to the community development fund back again for reuse in some other part of the Territory. Also does Council feel that as most of the buildings involved have commercial potential that there are--sale for commercial purposes should be under any kind of restrictiveness at all to protect the rest of the businesses or anything of this nature. Now these are the questions gentlemen that arise in my mind when I came to this particular question and I had no intentions of resolving this matter myself without having it discussed at the Council Table Mr. Chairman.

Mr. Thompson: Yes, Mr. Chairman, I well realize the Commissioner's responsibility in this matter and I feel he does have some valid points. But, I think in this instance the one particular that we have under consideration where the association are going to dispose of the property and put the revenue from the same into their new community club I feel that these people in these various areas are a responsible party and they are the one that know what they want and what they will do. And I don't think that they are going to let somebody come in, and, as you have stated here develop anything in a detrimental way. And, I feel this should be their responsibility and I don't think that there should be any strings on it whatsoever. And in concluding my remarks I would second the motion made by the honourable member from Watson Lake.

Mr. MacKinnon: Well, Mr. Chairman, I think this motion is a little bit hasty and I don't know just exactly what Councillor Taylor and Councillor Thompson are attempting to do. But, I am willing to face the community of Haines Junction publicly at any time and honestly disclose my feelings towards this particular thing. And, as I mentioned before, Mr. Taylor says there is no problem. But the Commissioner has come to us because apparently at the present time there is no policy. This has never happened before in the Territory and there is no established policy. And, I believe that this is a serious matter. This is not a matter of calling closure on. Because the members from the areas that don't understand the circumstances want to say we will make a motion and we will stop it right now, we will take a vote. I think this should be openly discussed and as I make you well aware this is not something that I have not discussed with the people of Haines Junction. There are some in favour, some not in favour of this policy that has been outlined by the paper from the Commissioner. But I think the paper could have been more complete. And this is more or less making suggestions which I don't know whether the Commissioner at the time of dictating this paper was taking into consideration that this could eventually be detrimental to the entire Territory in Policy. And I am speaking of government policy. It is not a matter of getting title to a piece of land. It is a matter of how must a community dispose of this property. Under what conditions. As I stated before persons involved with the construction in the first instance of the existing community hall at Haines Junction now can he be slapped in the face for his 20 years efforts from a business point of view by somebody buying this for say $5,000.00? $20,000.00 worth

Mr. MacKinnon continues...

of property and operate a commercial business with this property. Now I was of the understanding from years back. I helped to organize the community club in Carcross a good many years ago. And, at that time I was of the understanding that if the club closed or wanted to dispose of that property, then the property reverted to the Territorial Government. And I would like for Mr. Hughes to correct me if I am wrong in this statement I just made.

Mr. Legal Advisor: Well, Mr. Chairman, I can't speak off hand about any particular organization. And, I would have to look at the Haines Junction society object. But it depends under what circumstances the society did appear--the societies are supposed to make a profit. This is true. But they might dispose of their interest without showing a profit. The society may by extraordinary resolution arrange for a certificate of incorporation. Then the registrar may have to be certified that sufficient notice of the intention has been given and that no debts, validities or obligations are outstanding except the surrender of the certificate to cancel it. Now if for instance a company ceases to exist just disappears and it has any assets that is not disposed of, the normal position is that they would be forfieted to the Crown because of nothing can be ownerless and if it is land there is provision under the Estate Act for that land to be taken into the name of the Crown. So, no society shall declare any dividends. It isn't always necessary to declare dividends in order to dispose of assets. It would have to depend always on what the position was in the particular thing.

Mr. MacKinnon: Mr. Chairman, I would like to say I talked with the president of the Haines Junction Community Club last night at length. I don't know, I didn't check to see what the phone call cost me, but I imagine it was seven or eight dollars at least. And he at that time was well in favour if we were going to set a precedence for the Territory that this property could not be disposed of for a commercial use. And I make this recommendation to Council for protection of the people that have put their heart and soul into this building originally. And, I don't think it is fair at this time to put 20 years work and put it for sale where it can be used on a commercial basis. And Mr. Legal Advisor has went a long ways around the question and he says that under the Societies Ordinance that you cannot make a profit. Now, if this goes for public tender and there is a profit then where would the monies go?

COUNCILLOR WATT PRESENT

Mr. Legal Advisor: The Society would remain in exxistence and to that extent no profit would have been made because the funds would be the Societies funds. The profit only emerges if there is a dissolution. Presumably if they did make money on this transaction the Councillor foresees they would reinvest it because they would have considerable difficulty in divesting themselves of the monies. They are going to be in the possession of some and well known characters ...you know they are going to touch something, it is going to turn to gold, it is going to stick to them. They are going to have to reinvest it. They are going--this is their position. They can't run away from the monies.

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Mr. MacKinnon: Well, Mr. Chairman, the need for money, that is a very, very potent point. There is need for funds, but the point is we are setting up a precedence for communities in the Territory should this property be allowed to be sold for commercial uses. Would the Legal Advisor or the Commissioner like to make a clear statement in this matter.

Mr. Legal Advisor: Well, sir, if they have the necessary majority which would probably be an extraordinary resolution requiring 3/4 or 2/3 anyway, and they decide they will sell this or they will sell a billiard table or they will sell a ping pong table those are assets and they can be disposed of. Subject to the agreement of the members in the societies. I am speaking now on the basis of pure theory because I do not have in front of me the object of that society. I do not have the constitution in front of me. But I would be surprised if they had some provision there which made what I am saying wrong.

Mr. Taylor: Well, Mr. Chairman, I would like to say that the Commissioner has raised a point. He has stated that should we allow community clubs in lieu of the fact that there is some community development money in there and some cases a major proportion I would suppose at the capital end of the stick. And I believe now in many cases or perhaps in a minor position when we calculate the personal labour and materials and efforts gone into these things. He states that he would like to know just what we feel about--in fact this Sessional Paper deals with this--about the disposal of this. Well, I feel very strongly in especially making the motion that there has always been in my experience in 19 years in living in the hinterland here in the Yukon and in the outlying little communities and 1016 is no exception, that the people are always beefing shall we call it or complaining about the fact that every time they turn around they have got to go to Whitehorse to get approval for this or something for that. And they have always had a little desire to make a few decisions right at home and the community club have offered them a way in which they could do this. They construct it and worked through their own intiative and ideas and a little help from the development fund which has made these community halls possible. The clubs have had their ups and downs, but I know of very few clubs in the Yukon Territory that haven't worked out their little problems right at home and gone on to the general benefit and good of the community. And I would say in relation to whether or not a club should be allowed to sell a facility and go and build another one without permission of the government. I feel that they should. Because these sums of money that are being returned to the community for the development of the community are a return in essense of taxes. A portion of return of taxes collected in that community so this isn't directly a means they... acquire it, it could be looked upon in that regard. I think that these clubs are responsible and has been pointed out by Mr. Legal Advisor generally speaking it takes an extraordinary resolution of a majority or a large majority of the members of the club to say well we are ready to move along. We think we have got enough money. We think we can sell our existing facilities now and get a maximum benefit out of it and we can start on a new hall. And this is exactly what I believe they are going to do. And I see nothing wrong with this. And I feel that this is one responsibility we should leave to the people of their community

Mr. Taylor continues... SESSIONAL PAPER #121

to make on their own behalf. I cannot see where it would ever be abused and as I say I agree with this Sessional Paper. I agree that the community club the Shakwak Valley Community Coub should have every right to buy the property upon which their facility exists. I would like to cite a parallel in this Mr. Chairman. And that is the Watson Lake Community Club, who when they finish will have a building worth about $100,000.00, as their community hall. Now certainly the most substantial amount of money going into that community hall are community monies. And, so consequently, they said and rightly so well we want the assurance that we own the land. And so we got the land. And I feel that this is quite fair and I see nothing wrong with it. And this is why I make the motion and it is up to the people to have that much local autonomy to decide in their own communities what they wish to do. And I can't see any community club anywhere in the Territory--they can't take off with the money because we have a societies ordinance and there are certainly enough level headed people in the community to stop anything of that nature. Let them be autonomous. Let them make their own decisions right at home. This is why I make the motion and those are my concluding remarks in the matter and I will resume the Chair.

COUNCILLOR TAYLOR RESUMES THE CHAIR

Mr. Legal Advisor: Mr. Chairman, just to point now to the particular sections which I have in mind and to which the Councillor from Kluane Lake would refer. I am referring to Section 6 of the Societies Ordinance--might I say that in the position of...once they have made the money they are going to have great trouble getting rid of it. No society shall...capital divided into shares or declare any dividend or distribute property among the members during the existence of the society and the interest of a member is not transferable. Now then in Section 10 a society may acquire and take by purchase dimension, divide or otherwise, land and personal property and may sell, exchange, mortgage, lease, lend, improve and develop the same and may erect and maintain any...building. The funds and property of the society shall be used as in Section 11 and dealt with for its' legitimate object only and in accordance with its...and the society shall invest its' funds only in security to which trustees are for the time being authorized by law to invest so there are their powers there and when it comes to the time when they want to dissolve, the Commissioner has to be satisfied that their bookkeeping is straight-forward and can control what they are going to do with surplus monies.

SECTION 6 SOCIETIES ORDINANCE

SECTION 11

Mr. Shaw: Well, Mr. Chairman, I mentioned...yet strongly speaking when you get something like this I am very sympathetic to the community organizations. It is usually a group of people yhat are very hard working for the particular community. However, in this particular instance the person who represents that area and who is very well conversant with the matters on hand appears to have quite some objections to the exceptions to this as it is. And this has therefore put me in a position of where I really don't know which way to go. I would feel that at this time until this becomes more clarified and more agreeable that it might be better to let it just sit for a while. I don't think it will do any particular harm. In which case I would having

Mr. Shaw continues...

these feelings Mr. Chairman, I would be forced to vote against the motion that is proposed because I don't know all the ramifications involved. But talking about disposal of property I would feel that a community club, it would be quite in order for them to dispose of property such as buildings or ping pong tables or anything else like that. But when we come to them to dispose of land, I would feel Mr. Chairman it is a different matter entirely. For this reason. There are times in the history of communities whereby they go up and they come down and you get a few people that take interest and then you get more people that take an interest and then they start fights amongst themselves, and so on. However out of this chaos sometimes can come a bad decision to dispose of a piece of property. Now a piece of peroperty in a community in my estimation is much more valuable in many cases than the buildings that are on the property. At this particular stage of the game the property might not have any particular use, but three or four years from now maybe that property has a use as a community centre. And therefore I would feel that to dispose of it at such a time might mean that in ten years from now they are just crying to get a piece of land for a community effort. And I would ask you gentlemen to consider this particular matter. But I don't know the ramifications at all. I haven't got a clue. But I do know that the member objects to the situation as it is and he must be well conversant about what is going on. So in view of that, I think if this were left for the time being until this could be straightened out and find which way everybody wants to go, that might be possibly the safest procedure at the time. If it goes for a few months it won't hurt anything, I don't think. The property won't be sold. They could come together and decide what they are going to do. But certainly I would feel that as the Commissioner has asked the question, and as a member of the Council I would give my opinion and it is that when a piece of property is given to a community club, I feel that that should be given for a nominal sum. But at the same time I also feel that in the patent or whatever you may call it, that there is a proviso there that that reverts back to the community. In other words the community have gotten it in trust that you can't sell that for a grocery store, or a new hotel or something like that. That's my general feelings on that.

Mr. Southam: Well, Mr. Chairman, I certainly think that a community club should be able to run it's own affairs. And I also think that this request must have came from the members. You don't just write and ask for something on your own. If you are a secretary or a president of the club you must have had a meeting. You have to have a majority of people to request these things unless the club only turns out two or three members now and again. So I can't see why this community, all they are asking to do is buy two lots and then at a later date sell the older property to rebuild a new one. Now what is wrong with this. I can't see nothing wrong with it. And I certainly don't agree that everything should revert back to the Territory. In some cases these community halls are set on ground that doesn't belong to the Territory and therefore while you put your development grant into it this is true that the community are getting benefit of it and I can't understand why when these people ask over somebody's signature, the secretary of the club I suppose or possibly two signatures. They must have had the majority of the club with a request for this or else it wouldn't be here. So I can't understand why all this holler is about the selling. Is it a pecuniary reason or what. I don't know.

Mr. Southam continues...

I certainly can't understand why this community club can't buy these two lots. They are going to buy them at the going price of real estate in Haines Junction as I understand it. Now, what is preventing them from doing it. You cannot stop them. That's my argument about this. You cannot stop them so long as they pay you the price that they ask. And, if they want to sell the other one at a later date, that is strictly up to the community club as I see it. I know this is the way I suggest--or I think it should work. SESSIONAL PAPER #121

Mr. MacKinnon: I think we are getting farther away from the point all the time. Now I would be tickled to death to see them own the lot. But I think the main point that I have attempted to make was the resale of this property. And should there be a stipulation stating that the resale of the property would not be for commercial uses and I believe this is the exact point. And anything I can give to Haines Junction I will gladly do so if it is for a legitimate cause. And if it is not I will go against it. But, now this community hall was established in the early 1950's. And, now we have another community hall which is a centennial program at the present time. I think if the members looked in their Centennial Book they will see a picture of the hall. And, they do need money, yes, to go ahead and complete this. And, I am all with them. But at the same time as I said before we are setting a precedence for the Territory. And should we have a selling stipulation, a resale. Now establishing this hall as I said before in the early 1950's, they have went all this time without title to this property and now when it has come time to abandon the old hall the community is asking for title to the property to make it a resaleable item which undoubtedly would bring a better price. But, the point is, should we have a stipulation stating that this cannot be sold for commercial uses and this is the point. Mr. Boyd, you are quite well acquainted with Haines Junction. I would like to hear your comments.

Mr. Boyd: In the first place I have a question I would like to ask of the Commissioner. Firstly, I will say what I think is wrong. They should never have built their hall in the first place unless they had title to the ground. They should have had it. This has come up here in Whitehorse. Now, they are proposing to pay the full price. At least Mr. Commissioner is sugeesting they be charged the full price. I wonder why he is suggesting this. And I also wonder if because of this suggestion are they going to become taxpayers and pay taxes. Because they are going to hold two parcels of ground. Not own it really, the one they got is on the swap dollar basis I understand where the new hall is. But this seems to be that this is another piece of ground they are getting ready to own as real estate held by the community subject to sale at their discretion. And if this is such they are in the real estate business. Would they be paying taxes.

Mr. Commissioner: Mr. Chairman, could I refer that to the Legal Advisor? Do I not understand that we have a tax remission situation as far as the community club property is concerned?

Mr. Legal Advisor: Yes, there is. But I am not sure that I have got completely up-dated corrected...under Section 3

Mr. Legal Advisor continues...

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SECTION 3 TAXATION ORDINANCE

of the Taxation Ordinance certain types of property are exempted from Territorial tax--churches, buildings erected ....or used by religious denominations or else property used for public libraries, a literary or scientific institute, or society or any patriotic educational charitable institute. Or used for an agricultural, horticultural society and then certain grounds used for processing minerals. So they would come under the extension relating to public library, literary, scientific institute or society of patriotic educational charitable. I am assuming that is the view the assessor takes of it. But you will notice it has to be used. Now if they cease to use it for that, make it out to some commercial entrepreneur, the exemption would disappear. So there is quite a lot of meaning to re-read into the word used. I don't know of any cases which were written in the Territory, the assessor might have some in mind. He could tell how these applied just in the past.

Mr. Boyd: I have nothing specific out of this answer with respect to the Legal Advisor. But it seems to me these people could be in a dual position. Now one more question. Let's say this club wants to sell that building. That's all they own and that is all they can sell I would think. Have they the right to sell it and has the buyer the rights and would he run into any obstacle in attempting to buy the land that the building sits on?

Mr. Legal Advisor: Have the right to sell the building? Well the general rule is that if fixtures affixed to the real estate, then you may find that it has become part of the real estate. Now, you to apply that rule to a local society would be asking the Crown to take a very harsh line to say you people not with standing the fact that you have worked for so long to put these buildings together, they now become part of the Crown's property because they are on Crown land. It would be an unusual and an unpopular course for the Crown to follow. So, I would suggest that in practice they be given every opportunity to sell the building and remove it. And if the buyer of the land was dealing directly with the Crown he certainly would acquire good title. But the society at the moment cannot confer title to the land although I think in practice they could give title to the building. It would have to be taken away sooner or later because then it would be a squatter position.

Mr. Boyd: Well, if they are not using this--when they move into the new building, they are not using this, so this has already been taken care of in the existing agreement which ceases to exist the moment they cease to use it, the moment they move into their new hall. But I see no reason why they couldn't sell that building and why the buyer couldn't go at the same moment to the government and buy the ground that it sits on. There should not be any obstacles in this. This is what I am trying to get clear.

Mr. Legal Advisor: Well, I can't see any legal obstacles to that.

Mr. Chairman: Just from the Chair, what about the $3,000.00 in the ground that we have lost already invested by the club. Do they have to tear that up again and go to the expense of lifting that out?

Mr. Legal Advisor: That would be reflected presumably in the price to be paid for the buildings. Otherwise they wouldn't deal with this.

Mr. Chairman: Well, gentlemen what is your further pleasure? I have a motion.

Mr. MacKinnon: Well, Mr. Chairman, I believe the motion should be withdrawn in view of the fact that I don't think that the members that have presented the motion are fully familiar with the circumstances. And this is not a matter of doing the Shakwak Valley Community Club out of any priorities but as I say we are setting a precedence of government policy. And, I think that we should have a serious look before this is done. Now, I find the statement made by the Legal Advisor fairly thorough, but to the actual point a little bit on the evasive side. And we seem to continually get around the actual point that I was trying to make from the beginning. Should we have a stipulation in regards to resale of this property. It is not that this property is worth so much money, but if the Commissioner sees fit and I believe under the present ordinance that the Commissioner has the powers to do as he sees fit to sell the property to the community club or to hold it as Territorial government property. But to turn it over to the community on an unconditional basis, this is the very point that we are discussing. And, I suggest and as I said a short time ago, I talked to the president of the community club last evening and had quite a lengthy discussion in this matter. And it was suggested by him that if this property was transferred to the community for resale that they would be willing to go along with the proposal that I have suggested that it would not be for commercial uses. And I would like to hear just a little bit more from other members in respect to this. It is not a matter of trying to do the club out of something, but I believe the reason the paper is in front of us is asking Council to set a policy to be followed in the future.

Mr. Chairman: Well, gentlemen, I have a motion before me.

Mr. MacKinnon: Well, Mr. Chairman, I am making a question to the Commissioner and I would like to hear what he has to say in regard to this policy making.

Mr. Commissioner: Mr. Chairman, I assure you this is why this is here. It is here for no other reason.

Committee: Agreed

Mr. Shaw: Well, Mr. Chairman, I still feel that we should protect the future rights of the citizens of the community and I don't think Councillor MacKinnon went far enough when he said commercial purpose because putting a house on it is not for commercial purposes it is a residence. But you could still have a sale. I think that this property--I think it should be given to community clubs and I feel that it should be there for the interest of the community and for no other purposes. They do what they want with it so far as utilizing it for the benefit of the people and if they do not use it for the benefit of the people and they want to sell parts of it and so on and so on, I don't think this is correct as a policy. Now, I don't know the circumstances involved in this set question affair. But as a policy I think that the long distance view point should be considered in this in relation to the future community development.

SESSIONAL PAPER #121

Mr. Watt: Well, Mr. Chairman I think that all these community clubs should check on the title of the property before government money is spent on them. If they don't--we may just find that some community club is spending money on something that they don't own and possibly the government don't own. And I think that the community club itself should of necessity own the property that any of this money is spent on and that should be true with respect to the policy and I [illegible]e with the Sessional Paper and it appears to be an int[illegible] problem where the member of the area wishes to vote for t[illegible]ssional Paper but there is a little bit of an internal m[illegible]tter concerning his area and he is concerned with and he is trying to get Council to--trying to put across his point to express the concern that he has for this particular problem. And apparently he doesn't seem to be getting too much co-operation from this Council. And I think that possibly a person could suport the motion and let the Commissioner keep in mind the comments that have been made with respect to the problem, the local problem and he could act accordingly and with the support of Council with respect to the transfer of the land and the motion can also with respect to the local conditions there, the local problem that is being encountered there. And I ask if Mr. Chairman, I would like to ask Mr. Commissioner if he could see fit to go along with this and then go along with the motion and keep the local conditions under consideration. Could you answer this Mr. Commissioner?

Mr. Commissioner: I would be quite prepared to use the comments of the Votes and Proceedings along this line.

Mr. Shaw: Administration in Dawson that is a municipality we realize. But there is the matter of the Community Hall that is there now. The old A.B. Hall. That was purchased by the people themselves who donated $5,000.00 to buy it. That was many years ago. They felt and after a while the community organization got a little bit shaky themselves, so they felt the best thing to do would be to turn that over to the City for a dollar--a nominal sum so that it would continue to be theirs. The same applied to Service's Cabin the IODE owned that for a while and they felt that was a little bit too much for them so the Klondike Visitor's Association took it over and finally they saw the building was going to pot so they spent a $1,000.00 an rehabilitated that building. And right immediately after they asked--after it was completely renovated, they asked the city if they would take it over so there would be continuity of this property which was you might say public property. They could have sold that for any--lots of people would have bought that, but they turned it over for a $1.00. So the same applies to this property.

Mr. Chairman: Gentlemen, I have a motion at this time, it has been moved and seconded that the Committee agree to Sessional Paper #121. Are you prepared for the question? Are you agreed to the Motion? Any contrary? I will declare the Motion carried.

MOTION CARRIED

MOTION CARRIED

Mr. MacKinnon: Mr. Chairman, speaking on the Motion.

Mr. Chairman: Too late to speak on the Motion, Councillor MacKinnon it has been carried. Gentlemen, I attract your attention to the time. What is your further pleasure?

Mr. Commissioner: Mr. Chairman, may I be permitted to answer a question that was asked earlier in the day? Concerning the question that was asked prior to lunch time Mr. Fleming advises me he says I have just heard from Mr. Porter who phoned Mr. Raoul Rawley the co-ordinator for the visit of Princess Alexandra. Mr. Rawley agreed that persons attending the dinner may do so informal dark suits (inaudible), and

VISIT-PRINCESS ALEXANDRA

Mr. Chairman: Could we have the last part of that Mr. Commissioner Commissioner again?

Mr. Commissioner: Mr. Rawley has agreed that persons attending the dinner may do so in informal dark suits and the requirement for tuxedo and black tie is therefore superceded. And, as a matter of courtesy to all concerned I would ask the department to send out the invitations to see that they are followed up with information to this effect so that there will be no question in the minds of the individuals.

Mr. Shaw: Thank you Mr. Commissioner.

Mr. Chairman: May Mr. Commissioner be excused at this time?

Committee: Agreed.

Mr. Commissioner: Thank you very much gentlemen, have a pleasant weekend and we will see you all on Monday morning.

Mr. MacKinnon: Mr. Chairman, I have a question for the Commissioner in regard to the statement he has just made.

Mr. Chairman: I believe the matter is closed at the present moment on Sessional Papers, gentlemen.

Mr. MacKinnon: Well this is of public importance Mr. Chairman.

Mr. Chairman: Does Committee agree with the matter? Proceed, Mr. MacKinnon.

Mr. MacKinnon: Mr. Commissioner, in view of the fact that I have found it necessary to invite one of the oldest Indian Chiefs in the Yukon to this dinner, will it be permissible for him to attend the dinner in his own clothing, native style?

Mr. Commissioner: All I could answer would be my own personal opinion on this Mr. Chairman. I would say that it would be very preferable that the man did this. This is his normal native attire and I am positive that the guest of honour at the function would be very happy to see this person to person at that time.

Mr. Shaw: Mr. Chairman, I had a request from Mr. Porter the other day asking if they would like to see these done up in the full regalia so that the request as far as I am concerned possibly didn't get it, but it appears that that is what they would like.

Mr. Commissioner: May I be excused now, Mr. Chairman?

Mr. Chairman: May the Commissioner once again be excused?

Committee: Agreed

MOTION RE SPEAKER RESUME CHAIR

Mr. Commissioner: Thank you very much gentlemen.

Mr. Thompson: I would move that Mr. Speaker do now resume the chair and hear the Report of the Chairman of Committees without further adue.

Mr. Southam: I'll second that.

MOTION CARRIED

Mr. Chairman: It has been moved by Councillor Thompson and seconded by Councillor Southam that Mr. Speaker do now resume the Chair and hear the Report of the Chairman of Committees. Are you prepared for the question? Are you agreed? Any contrary? I will declare the motion carried.

MOTION CARRIED.

Mr. Speaker: Thank you Mr. Chairman. I will just get my books together. I will now call this Council to order and hear the report of the Chairman of Committees.

REPORT OF CHAIRMAN OF COMMITTEES

Mr. Taylor: Mr. Speaker, Committee convened at 11:15 a.m. to discuss bills, memoranda, sessional papers and motions. Committee first dealt with Bill #12 with Mr. Commissioner and Mr. Strong in attendance. Committee recessed at 12:00 noon and reconvened at 2:00 p.m. It was moved by Councillor Taylor and seconded by Councillor Thompson that the amount of $18,456.00 designated in Estimate 828 of Vote #8 for rental space in Lynn Building be deleted by transfer to another primary for the purpose of retendering a contract for rental accommodation, Whitehorse. This Motion defeated. It was moved by Councillor Taylor and seconded by Councillor Thompson that Committee agrees with Sessional Paper #121. This Motion carried. It was moved by Councillor Thompson and seconded by Councillor Southam that Mr. Speaker do now resume the Chair and hear the Report of the Chairman of Committees. This Motion carried.

Mr. Speaker: Well, gentlemen, you have heard the report of the Chairman of Committees. Are you agreed to the report?

Committee: Agreed

Mr. Speaker: Thank you. Now what is your pleasure at this time. I might inform you that if you do not wish to sit tomorrow you need the unanimous vote to waive the rules. And I would be prepared to accept a motion in that respect.

Mr. MacKinnon: Mr. Speaker, I believe that we should sit tomorrow. And I think that the waiving of the rules has gone about far enough. It is getting quite late in the season and it is time we got down to more serious business and went on with our Saturday morning sittings as we have years--this seems to be just completely thrown out as such. We have never sat one Saturday yet and I believe that we should sit tomorrow morning Mr. Speaker. I would like to hear from other members in regard to this.

Mr. Taylor: Mr. Speaker, I put in all week from about 8:30, between 8:30 and 9:00 o'clock every morning and continue through the day in this Council chamber and I am sure other members who attend Council regularly and at all times feel this is quite sufficient for a work week. And I also think that the members of the administration are overtaxed as it is and that we should certainly not sit on Saturday and that we should not sit again until Monday morning.

Mr. Thompson: I will second that Motion if it were one.

Mr. Speaker: I have had no motion. I might inform you gentlemen that this is a matter of waiving the rules, those are the rules we have and will require a unanimous decision.

Mr. Taylor: Mr. Speaker, I don't think it is necessary to waive the rules and I think it is necessary to post a motion if we do not sit tomorrow. This is quite in order without waiving the rules.

Mr. Boyd: I would move Mr. Speaker that we waive the rules with respect to sitting tomorrow and that we adjourn and recess until 10:00 o'clock Monday morning.

Mr. Thompson: I will second that Motion Mr. Chairman, or Mr. Speaker.

Mr. MacKinnon: Mr. Speaker, I am opposed to the motion. I believe we should sit tomorrow morning.

Mr. Speaker: It has been moved by Councillor Boyd and seconded by Councillor Thompson that we do waive the rules and do not sit on Saturday morning and shall sit at 10:00 o'clock on Monday morning. Are you ready for the question? Are you agreed with the Motion? Are there any contrary? MOTION
The Motion is defeated. DEFEATED

MOTION DEFEATED

Mr. Speaker: What is your pleasure at this time gentlemen?

Mr. Thompson: Mr. Speaker, I would move that we call it five o'clock.

Mr. Boyd: I will second the Motion.

Mr. Speaker: It has been moved by Councillor Thompson and seconded by Councillor Boyd that we call it five o'clock at this time. Are you ready for the question? Are you agreed with the Motion? Are there any contrary?

Mr. MacKinnon: Well,

Mr. Speaker: Are you contrary to the motion that we call it five o'clock?

Mr. MacKinnon: I would like a chance to speak if it is permissible at this time.

Mr. Speaker: Well the question is called, you are too late Councillor.

Mr. MacKinnon: Well, I will be contrary to the motion.

Mr. Speaker: Then the motion is carried and this Council MOTION
now stands adjourned until ten o'clock tomorrow morning. CARRIED

MOTION CARRIED

Mr. Boyd: Hold it, hold it, hold it--hold it.

Mr. Speaker: I will call a short recess and I will try to RECESS
explain this situation.

RECESS

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

Mr. Boyd: Well, Mr. Speaker would it be permissible for me to make a motion to the effect that we do not sit tomorrow morning?

Mr. Speaker: I am afraid it would be out of order. We have already made that Motion.

Mr. Taylor: Mr. Speaker, I wonder if I might have permission to be excused tomorrow morning?

Mr. Thompson: Yes, Mr. Speaker, I wonder if I could also prevail on your good nature and be excused tomorrow morning?

Mr. Boyd: And I wish to be excused Mr. Speaker.

Mr. Southam: And me also, Mr. Speaker.

Mr. Speaker: Well, that has kind of got me over the barrel. Order please. You have given me a very good question to be resolved. If you will all be excused tomorrow I suppose I will have to--I have no alternative but to excuse you gentlemen. Apparently there will only be Councillor MacKinnon and myself and that is not sufficient to conduct the government of the Yukon Territory.

Mr. Watt: I will be here also, Mr. Speaker.

Mr. Speaker: Oh, and Mr. Watt. This is unusual. I will declare that Council is now adjourned until Monday morning at ten o'clock.

COUNCIL ADJOURNED

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

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

Mr. Clerk: There is, Mr. Speaker.

Mr. Speaker: The first item on the Agenda will be the correspondence. Have we any correspondence this morning, Mr. Clerk?

Mr. Clerk: We have one Sessional Paper this morning, Mr. Speaker - Sessional Paper No. 124 re Progress, Yukon Alcoholism Services. SESSIONAL PAPER #124

Mr. Speaker: Have we any further correspondence? Have we any Reports of Committee? We have no Bills to Introduce. Have we any Notices of Motion and Resolution?

NOTICES OF MOTION #39

Mr. Southam: Yes, Mr. Speaker. I have a Motion re Litter Control.

Mr. Speaker: Have we any further Notices of Motion and Resolution?

Mr. MacKinnon: Yes, Mr. Speaker, I would like to give Notice of Motion re a Canada 100. #40

Mr. Speaker: Have we any further Notices of Motion? If not, we will proceed to Orders of the Day. We first have Notice of Motion for the Production of Papers. We will now proceed to Motions. The first Motion is Motion No. 30, Mr. MacKinnon, Motor Vehicle Ordinance.

Mr. MacKinnon: Yes, Mr. Speaker, moved by myself, seconded by Mr. Watt, re Motor Vehicle Ordinance. "That the Administration be requested to change the provisions of section 33 of the Motor Vehicles Ordinance which make it mandatory for a convicting Judge or Magistrate to endorse on a licence the particulars of a conviction for offences described in subsection (1) of section 33 so that the convicting Judge or Magistrate will have a discretion appropriate to his judicial function." May I proceed, Mr. Speaker? MOTION #30

Mr. Speaker: Proceed, Mr. MacKinnon.

Mr. MacKinnon: In view of Section 33 of the Motor Vehicles Ordinance, Mr. Speaker, it is a very conflicting circumstances at the present time and an offence under this Ordinance, which is not a criminal offence, seems to be carried on from year to year and they mark a person's licence for a three year period for minor traffic offences. I think that this is very wrong. For instance, there was a person here in the City of Whitehorse that brought his licence to me the other day and showed me where he had been charged for not dimming his lights and this marking of his licence has been carried on for a three year period for this minor offence. I believe that we should make changes and put a stop to this particular bit of what I call nonsense. I am not so sure...I would like to know where the Motor Vehicles Branch get the power of carrying this charge for a three year period. Going through the Motor Vehicles Ordinance, I can't find anywheres where it recommends

MOTION #30 Mr. MacKinnon continues:
that these licences should be continually marked for three years. I think that if a person makes a mistake and his licence is marked for one year on these minor offences which are not criminal, then it should be forgot about but at the present time, they have been carried on for a three year period and this interferes with insurance and such things as this so I hope that Council will see fit to go along with this Motion and give the people the benefit of the doubt and also the Motor Vehicles Branch instructions as to how they should abide according to this section.

Mr. Speaker: Have we any further discussion on Motion No. 30?

Mr. Taylor: Mr. Speaker, Section 33(1), for the edification of Members, reads: "Every holder of a chauffeur's or operator's licence who is convicted of (a) an offence under this Ordinance; (b) an offence under section 221, 222, 223, 225 or 281 of the Criminal Code; (c) the offence of manslaughter or criminal negligence under section 192 or 193 of the Criminal Code committed in either case by a person while operating a motor vehicle; (d) an offence under a provision of a municipal by-law that fixes a speed limit within a municipality; or (e) an offence under a provision of the regulations made pursuant to the Government Property Traffic Act that fixes a speed limit; shall forthwith deliver his licence to the Judge or magistrate making the conviction, and the Judge or magistrate shall endorse on the licence the particulars of the conviction." That is subsection (1). There is another subsection to it and I am not sure either way whether to go along with this or not. I think there are offences where a licence should be endorsed. That's part of the game. If a person can get along by paying fines and suffering no other inconvenience, very little record is actually kept of his licence and his offences in relation to his licence so I am not so sure I agree with the Motion although I can also see where some minor offence...a licence is endorsed... and where possibly should not have been...that is for speeding tickets and this kind of thing. As I say, I would like to know much more about this before I ever agree with it.

Mr. Speaker: Have we any further discussions on the Motion No. 30?

Mr. Boyd: I have a question I would like to ask anyone who may be capable of answering. This comes under the heading of Justice does it not and have we any say at all on it as a Council?

Mr. Speaker: I might answer the question that the Motor Vehicles Ordinance is a matter under the control of the Commissioner-in-Council. Have we any further discussion on Motion No. 30?

Mr. Southam: Mr. Speaker, I don't know whether we should tamper with the Judge even if it is only a minor infraction of the Ordinance. It seems to me in reading the papers that quite frequently you get the same man or the same person up time and time again for the same infraction of the rules. Here last year, if I remember, I believe we had a paper in Council or I read it in the paper, where a certain individual roared through the school zone there about three times in one day and all he had to do was pay his $10.00 and that was it. It didn't affect him at all so I think the licence should be marked.

Mr. Speaker: Is there any further discussion on Motion No. 30? MOTION #30

Mr. Boyd: I am going to have to vote against the Motion on the principle that I am not capable of making a decision of this kind without having a lot more legal advice and so on. It is a deep subject.

Mr. Legal Advisor enters the Council Chambers.

Mr. Taylor: I would like to direct a question to Mr. Legal Advisor which just arose and that would be that section 33 subsection (1) of the Motor Vehicles Act as it prescribes where a Judge and a Magistrate shall endorse the licences, would this then not apply to Justices of the Peace?

Mr. MacKinnon: Bring Mr. Legal Advisor to date please.

Mr. Speaker: We are discussing Motion No. 30, Mr. Legal Advisor, and the question is does this apply to Justices of the Peace as well as Judges and Magistrates for endorsation of the licences.

Mr. Legal Advisor: Correct me if I am wrong but I assume this is on the Motion regarding the powers or whether it is mandatory for them to endorse licences. By definition, J.P.'s here have the power of J.P. 2 and it would include this so if you were front of a Justice of the Peace, there should be an endorsement even for minor offences.

Mr. Speaker: Thank you, Mr. Legal Advisor. Have we any further discussion on Motion No. 30?

Mr. MacKinnon: Well, Mr. Speaker, I realize that this closes debate. It looks like it is fairly well closed. I would like to say section 33 provides that every holder of a chauffeur's or operator's licence who is convicted of (a) an offence under this Ordinance; (b) certain offences under the Criminal Code; (c) manslaughter or ciminal negligence under the Criminal Code; (d) speeding in a municipality; (e) an offence against Government property, traffic regulations relating to speed, must have his licence endorsed, the judge or magistrate to be given the responsibility of deciding guilty and of deciding whether a man may be sent to prison or pay a fine. If the judge is given so much discretion, it seems only reasonable to give him discretion regarding endorsement which at the present time he does not have. It is not clear what all the purposes of the endorsements may be. It is handy for the police to see whether a motorist has got a bad driving record but this is information the police can get from their own records in many cases. A particular instance which has prompted my remarks in this case...of a man who on the 13th day of May, 1965, pleaded guilty to an offence under section 49 of the Motor Vehicle Ordinance. This is the offence that I explained to you before for failing to dim his headlamps. It is an offence that we have probably committed, no doubt, every one of us. He now carries an endorsement which is carried from one licence to another quite apart from the question of whether the judge or magistrate could be compelled to endorse arises the question of whether it is appropriate for the Motor Vehicles Branch to extend these endorsements onto a new licence. I would like for the Administration to favour this Motion with a written answer as to whether it is proper for the Motor Vehicles Branch to continue endorsing licences. I mean, it

MOTION #30 Mr. MacKinnon continues:
is bad enough when you have them endorsed by a Magistrate or a Judge, but the question is is it proper and do we have a law that plainly states that the Motor Vehicles Branch can continually endorse those licences which they are doing at the present time. I would like for the Legal Advisor to comment on this.

Mr. Speaker: Well, this is not the time. This is a Motion of Council and it's not for opinions from the Administration.

Mr. MacKinnon: This is a question, Mr. Speaker.

Mr. Speaker: There is no question of opinion, Mr. MacKinnon. You can ask a question on fact but not on opinion.

Mr. MacKinnon: Well, is this not a fact?

Mr. Speaker: No. This is an opinion.

Mr. MacKinnon: Do they have the right to endorse....to continue endorsing?

Mr. Speaker: Well, if you ask...if you put your question, "Do they have the right to do this?", I think that would be a perfectly legal question.

Mr. Legal Advisor: Well, I haven't got immediate and detailed knowledge of the sections on which I believe the Motor Vehicles Branch would lie. I have looked into this question and the first impression that I have formed, Sir, is that the right to carry an endorsement over does not exist. If I may continue in connection with this Motion as a whole, it may be that if Council favours supporting this Motion, the Administration will take the opportunity of looking again at these provisions and possibly untie the hands of the judiciary so that they don't have to make an endorsement for every trivial offence and at the same time empower the Courts to order an endorsement for up to three years so that then it would remove any doubt about the carry over. I am bound to say at this time that I do have doubts whether an endorsement can be carried over.

Mr. Speaker: Thank you. That is the question, Mr. Legal Advisor.

Mr. Watt enters the Council Chambers.

MOTION #30 DEFEATED

MOTION DEFEATED

Councillors Watt and MacKinnon voted for the Motion. Councillors Southam, Taylor, Boyd and Thompson voted contrary.

Mr. Speaker: We next have Motion No. 34, Mr. MacKinnon, Low Cost Housing.

MOTION #34 DEFERRED

Mr. MacKinnon: I would like to defer the Motion, Mr. Speaker, at this time.

Mr. Speaker: That is fine. We next have Motion No. 36, Mr. Thompson, Yukon Flag.

Mr. Thompson: Mr. Speaker, Motion No. 36, moved by myself, seconded by Mr. Southam, re Yukon Flag. "It is respectfully requested that Administration be instructed to donate the original copy of the Yukon Flag as prepared for Territorial Council to the McBride Museum as operated by the Yukon Historical Society." May I proceed, Mr. Speaker? MOTION #36

Mr. Speaker: Proceed, Mr. Thompson.

Mr. Thompson: Well, it is fairly straight forward. It is just an idea of having the flag put in the Museum where it will be on display for future generations to view to see the basis of the new Yukon Flag and I think it is fairly straight forward, Mr. Speaker.

Mr. MacKinnon: Well, Mr. Speaker, would we have a Yukon flag without having it put into the Museum. I think this is a very unnecessary type of Motion. I think that that will be one of the first places that the flag will go. I don't think we need a Motion of Council for a simple little thing like this...telling the Administration that they should put a flag into the Museum. I think they know enough already. I don't think you have anything to worry about, Mr. Thompson.

Mr. Taylor takes the Speaker's Chair.

Mr. Speaker: Mr. Shaw.

Mr. Shaw: Thank you, Mr. Speaker. In discussions on the flag, I note that we have the Motion that this be put in the local Museum. Well, I would like to bring attention to Council, Mr. Speaker, that we have two museums in the Yukon Territory. The other museum has been going for a longer period of time than the local museum so that if you give it to one and you don't give it to the other, it appears to me that something as important as this...that it is somewhat in the line of favouritism and I think that if we are going to give it to the museum, either museum, then we should subject this perhaps to lottery of some sort. I would feel though that this first flag.....there are two other means which this can be utilized and I think both of them have a lot of merit. One is that it remains in the Council Chambers. We have two flags in the Council Chambers at the present moment and I think in the future that a Yukon flag...it would be very appropriate to have a Yukon flag and it could be the first flag that was made. Another system...another means, and I think this is certainly worthy of some merit, that this first flag be presented to the person that designed the flag, Mr. Lynn Lambert. I think that that would be a very nice gesture that he have this. It was his brainchild that conceived it in the first instance and that is something that I feel sure that he could look forward to with quite some pride. I think that that would be a very nice gesture, Mr. Speaker, to do either of those things rather than just put it in the museum. Those are the thoughts I have on the matter and I wondered if Council would also, and also the mover of the Motion, might consider that those two suggestions might have some merit.

Mr. Watt: Well, Mr. Speaker, I think we could haggle all day about this. It's too bad this couldn't have been resolved by a simpler means than taking up Council's time with where we are going to put the Yukon flag. There will be other flags and this original one...I would go along with Mr. Thompson's suggestion, or Mr. Shaw's suggestion, or if they both want it, they can cut it in half. I don't care but I don't think there

MOTION #36 Mr. Watt continues:
is any point...if they can't resolve it among themselves and with the Administration, I don't want to bother taking up too much time in Council...wasting time.

Mr. Southam: Well, Mr. Speaker, as seconder of the Motion... you've got three museums in the Yukon that I know of and you've possibly got four. You've probably got one in Watson Lake too. We have one in Mayo. My idea of seconding the Motion was this. I understand that this museum here is the Yukon museum, not the Whitehorse museum, not the Mayo museum, not the Dawson museum. This is the Yukon museum and I figure this is the place it should be. However, if it is going to be an arguable point, I would suggest that either the Council Chambers or the Commissioner's office for this flag and any visitor that comes to see the Commissioner, it will be there. You will probably get quite a few over the length of time but I still think that the capital city is the place for the flag.

Mr. MacKinnon: Could I ask a question, Mr. Speaker?

Mr. Speaker: Proceed.

Mr. MacKinnon: What's going to be the value of this flag? Could anybody at the table tell me? Is it going to be beyond any municipality's or community's reach to purchase a flag and put it in their museum? Is it going to be that expensive? Could anybody answer that question?

Mr. Speaker: Mr. Clerk.

Mr. Clerk: No, I am sorry. I am not prepared to answer what the cost of the flags will be.

Mr. Speaker: Have you anything further, gentlemen?

Mr. Thompson: Mr. Speaker, it was not my intention to start another flag debate and as has been pointed out, it is conceivable that some other museum should be considered. I feel that this is the Yukon Historical Society who, if this Motion is passed, will receive the flag for display purposes and I think, as Mr. Shaw has mentioned, that when the new flags are produced that it would only be common courtesy of the Administration to present one to the successful applicant who created the Yukon flag but I would like to see the flag remain with the Yukon Historical Society here in Whitehorse.

Mr. MacKinnon: I have a further question, Mr. Speaker. Is the flag not Territorial property at this time? I would direct this question to Mr. Thompson.

Mr. Thompson: Could I ask Mr. Clerk to answer that?

Mr. Clerk: Mr. Speaker, the flag that is on the wall is a copy of the Yukon Territorial Government's through Council. The production of that flag was $30.00 for the one. We paid $30.00 for each flag, a total of $90.00 for the three and this was paid for out of Council's vote, Vote 1, so it is in fact the property of the Yukon Territory.

Mr. Speaker: Are you prepared for the question, gentlemen?

MOTION CARRIED

MOTION #36 CARRIED

Councillors Thompson, Boyd, Southam voted for the Motion. Councillors Shaw and MacKinnon voted contrary. Councillor Watt abstained.

Mr. Shaw resumes the Speaker's Chair.

Mr. Speaker: The next item will be Motion No. 37, Mr. Thompson, Safety Program in Schools. Mr. Thompson.

MOTION #37

Mr. Thompson: Yes, Mr. Speaker, Motion No. 37, moved by myself, seconded by Mr. Boyd, re Safety Program in Schools. "It is respectfully suggested that Administration contact the RCMP with a view of having them visit Yukon Schools twice a year in communities where they are located with the view of bringing to the school children a safety program aimed at improving public safety on the streets and roads of the Territory." May I continue, Mr. Speaker?

Mr. Speaker: By all means, Mr. Thompson.

Mr. Thompson: Mr. Speaker, the summer season is just about with us again and with the good weather, there are more and more children on the streets and on the roads of the Territory and it is amazing the utter lack of respect that a lot of these children have for motor vehicles and I think that probably a lot of this has to do with the lack of training that they are receiving. In order to overcome this, it is suggested here that the R.C.M.P., who have the staff and the necessary background in safety programs such as this, would be asked at their convenience to visit the various schools throughout the Territory to impart this safety knowledge and I would ask the concurrence of Council on this matter.

Mr. MacKinnon: Mr. Speaker, I would like to mention already that we have got safety programs in the schools in the outlying districts. I don't know about Porter Creek or Whitehorse but I think that in the hinterlands we have a very good safety program being taught to the children at the present time by their teachers and I don't know whether it would be very beneficial to have RCMP coming in to teach when we already have school teachers that are trained to teach, we will say, for instance, the children in the primary grades. I don't think that the R.C.M.P. would be very capable in this matter. Possibly to talk to the Secondary Grades would be different but I believe for the primary grades that it couldn't be handled any better than it is at the present time. Mr. Boyd has been on the School Board. I think he should be well aware of this safety program being taught in the schools and I would like to hear his comments in regard to this.

Mr. Speaker: Mr. Southam.

Mr. Southam: Well, Mr. Speaker, here again....

Mr. MacKinnon: Order, please.

Mr. Speaker: Point of order. Just a moment, please, Mr. Southam. Your point of order, Mr. MacKinnon.....

MOTION #37 Mr. MacKinnon: I directed a question to Mr. Boyd.

Mr. Speaker: Well, it's not mandatory that Mr. Boyd give his comments until he feels like giving his comments and Mr. Southam rose so Mr. Southam has the Chair. Mr. Boyd can always give his comments if he so desires. Mr. Southam.

Mr. Southam: Thank you, Mr. Speaker. In regards to these safety programs, there is one thing that I do know - that the Detachment in Elsa does make the odd trip to the schools to speak to the children and I think it is a good thing because there are children who need to be taught something of traffic rules and regulations. Also, another thing that we used to do in Elsa...I used to speak to the children at least twice a year on blasting facilities and so on, explain to them what could happen if they pick up a bunch of caps and this sort of thing and also, I might state, that the R.C.M.P. do the same thing. I know this is a fact and if you want any verification of this, I would ask you to go and see Inspector Lou Pantry and I think he will confirm what I state.

Mr. MacKinnon: I have a question, Mr. Chairman. Now, Mr. Southam has been in this safety business for a long time and isn't it compulsory that blasting caps and dynamite is to be kept under lock and key? Are they allowed to be left around where children can pick them up? Is this not present law, Mr. Southam?

Mr. Southam: It may be the present law, Mr. Speaker, but you know just as well as I know that people out around the bush, prospectors and what have you, put a bunch of caps underneath a tree or underneath a stump or something and forget about them...also powder. You go into some of these old shacks and we pick up such.....not too long ago in Elsa that was 35 years old....in one of the old cabins....picked up a whole box of it. This is what you can find and I wouldn't be surprised if you go anywhere through the Territory and run across these sort of things.

Mr. Speaker: Thank you, Mr. Southam. Does that answer your question, Mr. MacKinnon?

Mr. MacKinnon: Not exactly.

Mr. Taylor: Mr. Speaker, I have discussed this matter of traffic education in schools in conjunction with our Lions Club in Watson Lake. We have no such program as yet. I know of no program in my district as a matter of fact that does teach traffic safety. I think the Motion is a very, very worthwhile and useful one because I think not only, as Councillor Thompson feels, that this must be taught and the children must be made aware of the importance of proper rules of the road and traffic etiquette but I think also it serves another purpose...to help teach the child to have respect for the law and the officers of the law who enforce law rather than fear them and I think that nothing but absolute good would come out of such a program in many respects, not just in traffic safety alone but in the others that I suggest.

Mr. Speaker: Thank you. Is there any further discussion on Motion No. 37?

Mr. MacKinnon: I would like to direct a question to Mr. Taylor. Mr. Taylor, doesn't your R.C.M.P. participate in Community affairs in Watson Lake? Don't you find them in charge of the Cubs and Boy Scouts and things of this nature?

Mr. Taylor: I am not aware that we have any Cubs and Scouts in Watson Lake. MOTION #37

Mr. MacKinnon: Oh, then be quiet.

Mr. Speaker: Order please. Is there any further discussion on Motion No. 37?

Mr. Watt: Mr. Speaker, I have a couple of questions that I thought would have been answered when the maker of the Motion had presented it and that is what programs there are in schools right now. Mr. Southam has already suggested that there are programs in the school right now up there and I am not sure what the situation is here in Whitehorse if we do have them....safety programs right now. I know there are certain safety programs carried out the first week after school is over in respect to some of the service groups in town here but I don't know if we should start inviting the police into our schools for safety programs. I don't know if they are doing it now and I don't know if the Police would want to do this and secondly if the school do want them to do it or if they would sooner do it themselves and have the teaching staff explain this. It's too bad that we didn't have a few of these questions answered. Possibly Mr. Thompson has already spoken to the Superintendent of Police and Superintendent of Schools to see how it would fit in with their curriculum. I would like to ask if Mr. Thompson could answer this before I vote on it. I think it is a somewhat redundant Motion but to keep peace in the family, I will go along with it but I would like to have those questions answered.

Mr. Speaker: Do you understand the question asked Mr. Thompson?

Mr. Thompson: Yes, Mr. Speaker. At the moment, there is no safety program as such that is carried out by the R.C.M.P. with a degree of continuity. There are isolated instances as have been mentioned that the R.C.M.P. do go in and give talks but this is more in line with having a little...someone with a little authority to tell the children just what the pitfalls and the problems can be and sometimes when somebody such as this tells them and shows them and in many instances have films to back up various aspects of this would bring the point home a lot clearer and a lot more surely than somebody just being up in front of the classroom giving this information.

Mr. MacKinnon: I have a supplementary question to ask Mr. Thompson, Mr. Speaker. Is Mr. Thompson suggesting that the teachers do not have the authority at the present time? Is this what you are suggesting Mr. Thompson?

Mr. Thompson: I don't think that question is in order, Mr. Speaker.

MOTION CARRIED

MOTION #37 CARRIED

Mr. Speaker: We next have Motion No. 38, Mr. Thompson, re Sidewalks.

MOTION #38 Mr. Thompson: Mr. Speaker, Motion No. 38, moved by myself, seconded by Mr. Southam, re Sidewalks. "It is respectfully suggested that Administration take steps to construct a sidewalk from the Northwest Boundary of the City Limits of Whitehorse, namely Fourth Avenue to the Indian Village in the Marwell Area and that this sidewalk be hard surfaced." May I continue, Mr. Speaker?

Mr. Speaker: Proceed, Mr. Thompson.

Mr. Thompson: This is something, Mr. Speaker, that we have been endeavouring to do for as long as I have been in Council and it was also my understanding, and this was verified the other day by the Director of Public Health Services, that they too have asked for this. There is nothing definite in the Budget at this time but Engineering do have a fairly substantial amount of money for unforeseeable contingencies and I think that this program would fall into this category and I think that this, together with further pressure on Administration to improve the conditions in the Indian Village, would be most appreciated by these people and also the possibility of including this project this summer would certainly help matters considerably. So, with your co-operation...

Mr. Boyd: Mr. Speaker, the sidewalk is an ideal way to get from one place to another. In the summertime it is quite simple...lots of daylight, not cold and so on, but I am wondering, when I see the sidewalks right in the center of the City of Whitehorse, that anywhere you want to look... unusable all winter. What will be the good of a sidewalk unless there is something in this Motion that compels somebody to maintain it? I can see this sidewalk, buried in three feet of snow from the first fall snow until the last in the spring. It would seem to me that a sidewalk that is going to be used six months out of the twelve isn't very good. This is the only way I can look at this situation. I don't believe in building a sidewalk unless we have some assurance that it is going to be there for the people to use - not under three feet of snow.

Mr. MacKinnon: Mr. Speaker, I think Mr. Boyd is being unreasonable again and the sidewalk is very necessary. In winter it doesn't matter very much because you can walk on top of the snow. It will pack down and you still have fairly good footing but this time of year, the present sidewalk or so-called sidewalk...you are about ankle deep in mud which pretty well forces the pedestrian out onto the pavement and I believe the Motion is a very good one and I would also like to mention at this time that it is a duplicate of a Motion presented by Mr. Watt and myself a couple of years ago and I am glad to see that Mr. Thompson has brought it to light once again because I feel it is a very necessary thing. I think all Members around the table are familiar with the depths of mud that these native people are walking through at the present time.

Mr. Speaker: Just a moment, Mr. Watt. I must extend my apologies, gentlemen, but the Motion in its present state is out of order. I never noticed that before, however, we can make this in order if we have as a prefix to this "In the opinion of Council". I wonder if the mover would agree to this insertion.

Mr. Thompson: Mr. Speaker, as the mover of the Motion, I am not permitted to make an Amendment. MOTION #38

Mr. Speaker: Well, I am permitted to change a Motion to make it palatable...let's put it that way and if you are prepared to accept that change, then the Motion would be in order. Otherwise, I am sorry, I must call it out of order. I do have that prerogative. Is that agreeable with the mover of the Motion?

Mr. Thompson: Agreed.

Mr. Speaker: Proceed, Mr. Watt.

Mr. Watt: Thank you, Mr. Speaker. This particular sidewalk, I remember was first brought up by the Whitehorse Star about twelve or fourteen years ago and there has been action both by City Council trying to get something done about this and the Territorial Council and as Mr. MacKinnon suggested, we had a Motion similar to this a couple of Sessions ago. At that time, the answer was given that they didn't want to invest too much money in it at that time because of the proposed new road coming down Second Avenue and it would come out to the service road and, therefore, they would sooner spend the money on a new road....a sidewalk on the new road...because it would be shorter and this is where most of the native people and the people who are living in the Marwell area would walk because it is closer to the center of town. That was the reason it was not acted on last time it was put in. I just draw this to the attention of Council. Now, if the new road is going to be put in this next summer or shortly after, then I think the Administration will probably consider putting the sidewalk on the new road instead of on the old one but, on the other hand, if it is going to take three or four years before they get that new road in, then I would like to suggest that the Administration act on this this summer when they are upgrading the Two Mile Hill anyway. I just make these comments so that the Administration when they consider this, they can think about this and I am sure that they will do what is best in the long run and I would concur with the Motion.

MOTION #38 CARRIED

MOTION CARRIED

Mr. Speaker: Now, gentlemen, that completes the Motions for this morning. We next have questions. If you have any questions for the Commissioner, I can I hope ascertain whether he is available at this time. If not, we can proceed to the rest of the Agenda. Would you have questions this morning?

Mr. Taylor: Mr. Speaker, I have two written questions this morning but I have no oral questions at the moment. My question No. 1 would be "The Administration is respectfully requested to advise Council as to what progress has or is being made by the C.B.C., that is the Canadian Broadcasting Corporation, to ensure the provision of full 24 Hour Radio Broadcasting at Whitehorse"? QUESTION #7 My second question would be "The Administration is respectfully requested to advise Council as to the proposed completion date for the L.P.R.T. installation at Swift River, Yukon." QUESTION #8

Mr. Speaker: Have we any further questions?

Mr. MacKinnon: I have a couple of questions for the Commissioner, Mr. Speaker.

Mr. Speaker: Thank you, Mr. MacKinnon. We will call a short recess.

Mr. Commissioner enters the Council Chambers.

Mr. Speaker: I will now call this Council to order. This is the question period, gentlemen, and Mr. MacKinnon I believe has a question.

QUESTION RE TIME CHANGE

Mr. MacKinnon: Yes, Mr. Speaker, I would like to ask the Commissioner if he is going to make a change of time and when he would anticipate the dangerous move?

Mr. Commissioner: I would suggest that it will be made very promptly, Mr. Speaker, as per the understanding that I have with Council and I believe that the Clerk and the Legal Advisor are getting together with regard to the necessary descriptiveness...with the necessary description that will be required for me to sign the order giving effect to this and while I have nothing firm on my desk at the moment, I am hopeful that we will be able to do this in a manner that will give at least a couple of weeks notice to the citizenry of the Territory as to when the change will be made and I am suggesting that it will be made about the end of this month...month of May.

Mr. Speaker: Thank you. Have we any further questions?

QUESTION RE ARCHITECHS

Mr. Boyd: Yes, Mr. Speaker, I would like to ask the Commissioner concerning an interview that he or his Administration had with an architect recently. Was the interview impressing and do you anticipate, shall we say, giving this man some business or is it still intended to carry on with the old architects?

Mr. Commissioner: Mr. Speaker, taking the Councillor's question into two parts. First of all, I felt it to be quite interesting to meet with the architect in question, not only from the point of view of what he as a professional man had to offer in the way of suggestions but also to remove a lot of ignorance from my own lack of knowledge of how a customer would deal in securing architectural services and what I have found out has led to a lot of questions in my own mind and while I don't think it would be right for me to say at this time that we would be prepared to give business to this particular architect or any other particular architect, I am very very much in mind and have so instructed the Engineering Department this morning that we are to be strongly considering Council's suggestions that instead of handing out our architectural requirements to one firm on a continuing basis that we should be encouraging submissions from other firms and making use of them as well. I don't feel that I would like to answer that question any more specifically than that, Mr. Speaker. I don't think that it would be right or fair that I should but I trust that the answer that I have given will make Council to understand that I am very cognizant of their wishes and I may say that I share their wishes and desires in this particular matter.

Mr. Speaker: Have we any further questions?

Mr. Watt: I would like to ask Mr. Commissioner if he has had any further communication with respect to the proposed Financial Fiscal Agreement and the date which we could expect it or if there have been any changes made since his last announcement.

QUESTION RE FINANCIAL FISCAL AGREEMENT

Mr. Commissioner: Mr. Speaker, I say this to you that we will have available for Council the next day or so the enabling Ordinance which will be for Council's discussion with regard to the Agreement. In other words, this is the Ordinance that Council will be required to give approval to so that I can sign an Agreement. Secondly, we will have the synopsis of the Committee's Report, in other words, the Inter-Departmental Fiscal Committee will have a synopsis of their report available to us within the next day or two and we are hopeful that coming in no later than Wednesday to be available for Council on Thursday, will be the basic Agreement itself.

Mr. Speaker: Have we any further questions?

Mr. Watt: Mr. Speaker, I would like to ask Mr. Commissioner if any further steps have been taken by the Administration so that they can firm up and can confirm the sale of lots in Lot 19?

QUESTION RE SALE OF LOTS, LOT 19

Mr. Commissioner: I was going to ask permission to answer a couple of items and this is one particular one because Councillor Taylor raised this question a few days ago and I believe his question was raised in basically the same context as your own, namely, what reason is it that we are not able to conclude the sale of lots in Lot 19. First and foremost, by agreement with the Financial Advisory Committee, we are advertising at the present time for tenders for the installation of sewer and water in Lot 19. As soon as these tenders have been received, if they are somewhere within what we originally anticipated and Council sees fit to give approval to the final Budget review to the required monies, we will be able to proceed to sell the lots by being able to tell the people that (a) it will be serviced property and (b) we will be able to come very close to the amount of frontage tax that they will be charged. At the moment, we could proceed to finalize individual sales in Lot 19 but in the Agreement for purchase or agreement for sale, there will be a clause or a notation that says that this property will be subject to frontage tax for installation of services and this is tied in with the fact that the City of Whitehorse is prepared to enter into an agreement to collect this frontage tax so that really, if this is to be intact, gentlemen, we should (a) have a commitment as to how much the sewer and water is going to cost so that we can tell the customer, so that we can tell Council who, in their wisdom, can give us approval or disapproval for the necessary monies to go ahead and do this particular job. The question was raised the other day that people were being told that it was the Council's fault that we could not complete sales on Lot 19. I don't think that those words were being used. I suggest to you, Mr. Speaker, the words being used were simply the ones that I have used here right now...that it is not right and proper to our way of thinking to proceed to complete these arrangements for lot purchases until these other matters are attended

SALE OF LOTS, LOT 19

Mr. Commissioner continues:
to. Now, further to this, gentlemen, you will notice in the capital side of your Budget that there is an item of approximately $35,000.00 for service installations in Lot 19. Now, it is going to cost considerably more than $35,000.00 because when this Budget was made up, it was our understanding or our thinking at that time that we would only be called upon to open up a portion of Lot 19 for use this year and this is why we only have $35,000.00 there on the capital side of the Budget so it is further necessary that we not only have Council's approval to what is here but also their approval in principle to the further monies that will be required because we are not doing...I believe it was one-third of it that we contemplated doing...we are now going to have to do the whole package at one time which in essence is the proper thing to do because it will be much cheaper in the long run to do the whole installation at one time then it will be to do it by part. If I remember the newspaper advertisement correctly, I think the tender call closes on the 14th. I am subject to correction on the date there....the 18th...and we should be able to analyze these bids very promptly after this, Mr. Speaker, and be able to figure out how much frontage tax approximately will be called for and also advise Council how much more money beyond the $35,000.00 will be required for that installation.

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

Monday, May 8, 1967.
11:00 o'clock a.m.

Mr. Speaker: I will now call this Committee back to order and we are at present in the question period. Have we any further questions?

Mr. Watt: I have a supplementary question to ask Mr. Commissioner. Has he approached the City Council with respect to having the City collect the purchase tax on Lot 19 and if so, what has been the reaction, is it favourable? Mr. Commissioner.

QUESTION PURCHASE TAX LOT 19

Mr. Commissioner: I would put it this way Mr. Speaker. I have not been advised of any reticence on the part of the City of Whitehorse to cooperate with us in this particular matter.

Mr. Speaker: Thank you Mr. Commissioner. Have we any further questions? Mr. MacKinnon.

Mr. MacKinnon: Yes Mr. Speaker. I would like to ask the Commissioner if the Territorial Government has purchased the Aishihik Airport yet and second to this, has any act been made to obtain an inventory of what they are purchasing at the Aishihik Airport?

QUESTION RE AISHIHIK AIRPORT

Mr. Commissioner: Mr. Speaker, I am hopeful of having a paper that will be tabled to Council in the next day or so covering very thoroughly the Aishihik Airport situation and seeking Council's concurrence with the course of action I would like to see taken there and also to ask Council's advice on their wishes concerning the Snag Airport and I may say in connection with the roads in both instances. Concerning the second portion as to what we would be taking over in the Aishihik situation, I am endeavouring to have the inventory list made available so that we can attach that to the papers so that Council can see what is reported at the present time. Also I am hopeful of doing the same thing as far as Snag is concerned. If Council see fit to go along with the proposals I have to make at Aishihik, it would not necessarily be a matter of purchase but I think could be accomplished by a simple interdepartmental transfer. With regard to Snag, I think the same thing could possibly be accomplished there although I don't have the clarification right at my finger tips at the moment in that regard. There has been some hold up in getting this paper made available to you gentlemen while we are definitely clarifying this particular approach. I found last Fall when I came here that while there had been offers from the Department of Transport to the Territorial Government with regard to both Snag and Aishihik, we felt that there had been such a long time lapse before any action had been taken on the part of the Territorial Government that possibly both these matters were in the hands of the Crown Assets disposal. We have since been advised that this is not the case so the question is a very good one and I am hopeful that I can have everything here on the Council table within the next day or so in this respect.

Mr. Speaker: Thank you Mr. Commissioner. Have we any further questions? Did you have something Mr. Commissioner?

QUESTION Mr.Commissioner:If I might be permitted although I see the Councillor is ready to rise on another question .....

RE OTTER FALLS CAMP-GROUND Mr. MacKinnon: I would like to ask the Commissioner what the proposed extension of the camp ground at Otter Falls is if he has any ideas as to what the extensions might consist of.

Mr. Commissioner: To the best of my knowledge Mr. MacKinnon I am subject to looking into this in full detail. To the best of my knowledge, it is simply a matter of improvement and more than possibly basic extension but I would ask for an opportunity to give a full knowledge answer on that one.

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

Mr. MacKinnon: Yes Mr. Speaker. I would like to ask the Commissioner if he is aware of a standard well drilling programme in camp grounds this summer instead of continuing to get their water from the contaminated creeks.

Mr. Commissioner: Mr. Speaker, this is entirely new to me.

Mr. Speaker: Are there any further questions? Well, it appears that the questions are over. Mr. Commissioner, would you care to proceed?

FUEL OIL INCREASE Mr. Commissioner: The question was asked in the latter part of the week concerning a local fuel oil or fuels price increase here in the Yukon and as to whether or not this was the Yukon Territorial Government imposing further taxes to bring about this increase and I would like to verify that this is nothing at all to do with Government, this simply is private enterprise raising the prices on their own volition in this regard. Secondly, I was asked approximately two weeks ago concerning the awarding of garbage removal contract and the reply that I have from Forestry is that the Forest Service has not awarded any such contract nor are we involved in anything of this sort. The only similar activity in which the Forest Service is involved may have been confused with this report is campground maintenance. However, all campground work is done by casual labourers and not on a contract basis. Now this is the report that I have from Forestry and if Council, either individually or collectively, have any further information or anything that they feel that I should be aware of in this particular line of work that should have further investigation, I would be pleased to do so.

GARBAGE REMOVAL CONTRACTS

RE HIRING OF VEHICLES Mr. MacKinnon: Well Mr. Speaker, I'd like to ask the Commissioner when you hire vehicles on the mileage or per mileage basis if he considers that to come under casual labour or under contract basis.

Mr. Commissioner: Well Mr. Speaker, I would look into the vehicle aspect of it further. My question and I thought that this would be the correct one to ask was involved with contracts to individuals for the specific purpose of garbage removal. Well if there is the matter of hiring people as casual labourers and then further to that the hiring of vehicles at a milage basis, if this is what I should be looking at, I will proceed to do so and find out what the reason is and why.

Mr. MacKinnon: Yes Mr. Speaker, this was the intent of the question and in view of the fact that there are certain aspects here that point to contracting and it has not been going on the competition basis, this was the actual basis of my question in the first place. Seeing that we do arrange to hire vehicles at so much per mile in conjunction with the monthly hiring of the person then I felt that it should be on the competition basis instead of saying 'I'll hire you or another guy' or whatever it is. HIRING OF VEHICLES

Mr. Commissioner: Well Mr. Speaker this raises another aspect of the question entirely and I will be very happy to go along with the programme of water well drinking.

Mr. Speaker: Have we any further questions? Mr. Watt.

Mr. Watt: Yes. Has the Commissioner got any information with respect to any action that is being taken for the political study of the Yukon Territory. You will recall that when this was discussed in Ottawa, it was suggested that it wouldn't take long as most of the facts were available. Is this study going on now and if so, to what extent is it? QUESTION RE YUKON POLITICAL STUDY

Mr. Speaker: Mr. Commissioner.

Mr. Commissioner: The only further thing I could report beyond what I have already told Council is the suggestion that was moved by Council in connection with the possible retention of Mr. Sivertz to head up this study and I forwarded this to the Minister and I have had confirmation that he has received this but I have not had any further word nor was there any indication that he was doing anything on the Council's suggestion. I have nothing further to confirm on this outside the fact that I passed Council's suggestion on immediately and there is confirmation that he has received it. I am sorry I have nothing further to say.

Mr. Speaker: Are there any further questions? Well, gentlemen, we will complete the question period now and what is your pleasure at this time.

Mr. Boyd: I would move that the speaker do now leave the Chair for the purpose of convening in the Committee as a whole to discuss bills, memorandums, motions and sessional papers.

Mr. Southam: I second that motion, Mr. Speaker.

Mr. Speaker: It is moved by Councillor Boyd and seconded by Councillor Southam that the Speaker do now leave the Chair and the Council resolve itself in a Committee as a whole to discuss bills, memorandums, motions and sessional papers according to the Agenda. Are you ready for the question? Are you agreed to the Motion? Are there any contrary?

MOTION CARRIED MOTION CARRIED

Mr. Taylor takes the Speaker's Chair. Mr. Speaker: Gentlemen we will proceed this morning to Bill No. 17 and we will take a short recess while we get our papers straight. Committee back to order. We have for consideration this morning Bill

BILL #17 No. 17, a rather lengthy Bill entitled an Ordinance to amend the Insurance Ordinance. I am wondering if prior to proceeding with the reading of the Bill, Mr. Legal Advisor could you give us some background as to why this is here and what it contains, etc.

Mr. Legal Advisor: There is a body which operates rather like the Conference of Commissioners on Uniformity of Legislation in Canada but it concernsitself with Uniformity of the Insurance Law in Canada and the starting point to my remarks must be to quote from a paper which is read by John Tuck who was Managing Director and General Counsel of the Association of Life Insurance Council in 1960. I read this if I may as it comes. "Thirty-seven years ago the common law provinces of Canada (that is, all provinces except Quebec) uniformly enacted legislation respecting life insurance contracts and the rights and status of beneficiaries. The original legislation was prepared by the Conference of Commissioners of Uniformity on Legislation in Canada but since that time amendments to it have been the responsibility of the Association of Superintendents of Insurance of the Provinces of Canada. Extensive amendments were prepared by the Superintendents and enacted uniformly in 1935-36 and again in 1948. A new revision was under consideration for more than five years and was put in final form by the Superintendents at their Conference in 1959. It has now been enacted by the nine common law provinces and will come into force simultaneously in all of these provinces" and he indicated probably on July 1, 1962. He was speaking in 1960. "The creation and maintenance of this uniformity by the Superintendents' Association has been of great benefit to the insuring public, their beneficiaries and to the life insurance companies. Although the legislation is frequently referred to as the uniform "Act" it is in fact, in all provinces but one (Newfoundland), a Part of a general Insurance Act." And Mr. Tuck says "In this paper I shall use the expression "Part" not merely because it is the correct term for most provinces, but also because it is occasionally necessary to refer to other provisions of the Insurance Acts." If I may interpolate for a moment; you will realise that the whole of these amendments are essentially centred around Part 4 of the Insurance Ordinance that you have where it begins at Page 542 of your Consolidated Ordinance. The changes in Section 1 are necessary definition changes but when we go to the second page of the Bill before you, you will see that we moved immediately to Part 4 and the rest of the Bill concentrates on Part 4 of the Insurance Ordinance. Now Mr. Tuck puts the matter in focus by pointing out the revised part is divided into several divisions. There is the interpretation division then there is the division which deals with the application of the part; now that division describes the contracts to which the part applies and also contains transitional provisions concerning rights of beneficiaries under the old part. The next division deals with the issuance of policy and the contents thereof. This division describes the provisions that must be included in individual contracts, group contracts and group certificates. Another division deals with conditions governing formation of contracts. This division deals with insurable interest coming into force of contracts, the payment of premiums, the grace period, nondisclosure and misrepresentation, incontestability, mis-statement of age, suicide and reinstatement, so there you have the formation of contract for this. The next division when you are reading the bill deals with designation of beneficiaries. "The

designation of beneficiaries irrevocably or otherwise, designations in invalid wills, appointment of trustees for beneficiaries, beneficiaries' right to sue, freedom from creditors, etc." That's the material filed in that division. The next division "Dealing with Contracts during Lifetime of Insured - This division contains provisions relating to entitlement to dividends, transfer of ownership, assignees, etc." Then there is a division dealing with Minors and then there are two more divisions, Proceedings under Contracts - a long division not in the arithmetic sense, it's a lengthy division dealing with proof of claim, place of payment, limitation of actions and so on; and Miscellaneous Provisions - one of the provisions there relates to a presumption against agency and the other to an insurer giving out information. That is the broad scope - those are the divisions and while that is rather a potted summary, those are the provisions that will be dealt with in the Bill before you. Now, as we go to it, I will deal if I may with any questions that arise. I can assure you that the Bill is a uniform Bill and we have been considering bringing this before you for some time but there has always been the question of trying to schedule it into the work of the Council. It is a lengthy piece of work. The Northwest Territories Insurance Ordinance was changed some time ago and I have done a comparison of the old and the new, proposed new, and they are indeed as uniform as one could expect them to be. In fact there are one or two errors in our present Ordinance which will be swept aside by the introduction of the new provisions. So the changes in the definitions Sir are necessary in order to give effect to the changes which occur in Part 4. They are consistent definitions, part of the uniform Act.

Mr. Speaker : Well gentlemen, I will proceed then with the reading of the Bill. Again we will have to take this section by section. This is Bill No. 17, an Ordinance to amend the Insurance Ordinance.

Mr. Boyd: Mr. Chairman, before you start out, do I understand that this interpretation is already in effect in the Provinces across Canada.

Mr. Legal Advisor: Yes Sir, they came into force in the Common Law Provinces in 1962.

Mr. Speaker : Clear? All: Clear.

Mr. Speaker read the whole of Item 1. Mr. Speaker: Clear? Councillor Shaw.

Mr. Shaw: Mr. Chairman, we have double indemnity insurance in the old Ordinance, that cuts it out entirely does it or is it put some place else?

Mr. Legal Advisor: Yes, that is so. They have done away with the expression "double indemnity" and they now call it "accident".

Mr. Speaker: Clear, gentlemen? Mr. Speaker then read the whole of Item 2, and asked if it was clear.

Mr. Watt: Proceed.

Mr. Speaker then read the whole of Item 3 and asked for the meaning of the word "codicil".

BILL #17 Mr. Legal Advisor: A Codicil is an addition to a will, it is really an afterthought or an alteration to a will. It is an afterthought before the hereafter really.

Mr. Speaker: Are you clear on 53 gentlemen?

Mr. Southam: Yes.

Mr. Speaker then read the whole of Item 54 and asked if it was clear. Mr. Speaker read Items 55 and 56 and asked if they were clear.

Mr. Shaw: Clear.

Mr. Speaker read the whole of Item 57 and asked if it was clear.

Mr. Southam: Clear.

Mr. Watt: Can I ask a somewhat general question to Mr. Legal Advisor? As I understand it, this also covers your automobile insurance, is that right.

Mr. Legal Advisor: No, this is just the Life Insurance Division of our Ordinance, that is all we are looking at on this part here.

Mr. Watt: A supplementary question. I was looking for the penalty section. The only one I could find in our regular Ordinance was on page 585. Does that apply to the Insurance that we are coming to now?

Mr. Legal Advisor: That is a general penalty provision and we will try unless there are special penalty provisions here. I cannot remember a penalty provision in this part so you will still be looking at Section 182 when you want to decide what penalty provisions are applicable for a violation whether it is the violation under here or whether it is violation under an Automobile Insurance. This is where you will turn in the absence of specific provision in here and I can't remember any offhand.

Mr. Speaker: Clear? All: Clear.

Mr. Speaker: Gentlemen, at this time I will declare Committee in recess until 2 o'clock this afternoon.

ABSENT COUNCILLOR WATT AND COMMISSIONER SMITH

Mr. Chairman: Alright, gentlemen, I will call Committee to order at this time, and I will proceed with the reading of this Bill. Reads Section 58 to Section 59 (c). BILL #17

Mr. Legal Advisor: Mr. Chairman, I wonder whether I might explain that particular section because it is all a terrible lot of words and the reason for that, all these changes have got good reason and I just mention this as an example. Since 1948 the old part has provided that group insurance certificates must be issued by the ensurer for delivery by the insured to each group life insured. In the revision the option of using another document rather than a copy of the policy, that option is given; this recognizes the frequency the employee is covered is described in detail in the booklet referring to numerous phases of an employer employee welfare plan. And it is on simple matters like this these changes are brought before you, it is being brought up to date with current practice.

Mr. Shaw: I would like to ask the Legal Advisor, Mr. Chairman I note in the old interpretation which covers quite a few changes we have where it is specifically outlined the position of an adopted child. I wondered if through all this verbage we have in this new one if that is taken care of.

Mr. Legal Advisor: Which Section is the Councillor referring to now, sir?

Mr. Shaw: I am referring Mr. Chairman to Part 4 of the old of the existing insurance ordinance--(b) adopted parent means...this person that has adopted another person as his child and so on, and a child includes an adopted child. I don't notice it in this new one and I wonder if through all this verbage here that is provided for.

Mr. Legal Advisor: Well, the reference now is almost invariably to beneficiary rather than to child.

Mr. Shaw: Well that would mean Mr. Chairman that an adopted child would be taken into consideration in this new bill.

Mr. Legal Advisor: Oh, yes. Under our old adoption ordinance, an adopted child is put on the same footage as a blood child.

Mr. Shaw: Thank you Mr. Chairman.

Mr. Chairman: Clear?

Committee: Clear.

Mr. Chairman: Reads Section 60 to Section 73 (2).

Mr. Shaw: That means Mr. Chairman in Section 73 that when a declaration is part of a will or estate that beneficiary is somebody that the insured cannot change that without the consent of the beneficiary. Do I have that as correct?

Mr. Legal Advisor: Well, that is a pretty good broad way of putting it. It does if we want to go back into the

BILL #17 Mr. Legal Advisor continues...

examination of detail and we have to go back to a study of preferred beneficiary and the special categories. Members of a family for instance are preferred beneficiaries under the old ordinance as it now exists. And then you get into complications as to what changes can be made. You can change within a preferred class under our ordinance as it stands now, but you can't change outside of a preferred class, and this used to cause a lot of trouble. Particularly if having designated say a wife the person taking out the insurance policy got at odds with his wife, this led to considerable trouble later on and these changes have been introduced because of the problems that arose. So broadly speaking your summary is just about right.

Mr. Shaw: Mr. Chairman then it would be the same in relation to husband and wife right now as it was before. Is that correct?

Mr. Legal Advisor: There are saving provisions under the old act and under the old form. I think we have gone past that, I will have to go back and find the particular section but, if you were designated under the preferred category before you--the old position is not prejudiced by the operation of the new part.

Mr. Chairman: Clear:

Mr. Shaw: I just wondered what the object of that is that a person has a will that they can't change it by new legal means as it were beneficiary whether it be insurance company or anything else.

Mr. Legal Advisor: Oh, no, I misunderstood you, if you thought that they couldn't change their will on this subject. But unfortunately I will have to go back to one or two earlier sections to give you the full explanation leading up to this. I will have to trace which section it was. So may I take a little time on that question.

Mr. Shaw: Agreed

Mr. Chairman: May I proceed? Reads Section 74 (1) to Section 76 (c).

Mr. MacKinnon: Mr. Chairman, I have a question to the Legal Advisor. Now, is this taking away the rights of your last will and testimony in the final--having the final control as it used to be? The last will was the official will. Now is this depriving the public of those rights?

Mr. Legal Advisor: When one writes a will this is intended to be the final disposition, but it has been noted that the use of declarations for insurance benefits in wills, has over the years created numerous difficulties and it was the recommendation of the insurance superintendent that the difficulties shouldn't be increased by recognizing such declarations in the new form of designation. Any beneficiary may be appointed irrevocably, irrespective now of his relationship to the insured. The appointment can be made either in contract or by a declaration provided by it isn't made by declaration contained in the will. They have had difficulties with these things. And in the light of their experience they recommend they should put the brakes

Mr. Legal Advisor continues... Bill #17

on this type of thing. Now, it is not an attempt to limit the freedom because the person making the will has the same freedom to make his own decision as to whom is going to be made the beneficiary. But he just doesn't make it in the will, that is all. So, all I can say is these people are experts in the field, they have noticed this difficulty and all the other provinces have this provision and it seems to be working quite well. Before we came to this Council I made a particular inquiry to see whether there were any snags at all encountered in the operation of the revised parts. I was assured no problems had arisen in the experience of these people.

Mr. Chairman: Clear gentlemen?

Mr. MacKinnon: I am not too clear Mr. Chairman. I think this is basically more gestapo approach to make a short cut for the administration end of the situation. I think if a man wants to change his mind and change his estate, that should be his prerogative and should remain that way. And the way I see it as writen here it doesn't seem to stem out that way. Maybe it is working fine in the provinces but how many difficulties have we had in the past in regard to this particular way of handling it. I don't think we have had any. I have been involved in estates where these circumstances have come up and I think they are very important ones and I think they should remain there. And I know that administration are always looking for short cuts and take it way from the little person and slap them in the face good and go ahead and do as the administration or a gestapo colony would lay it out and this is about the way they lay out everything. All regulations put in front of you, and it is not for the people it is for the administrative staff to make it more convenient to do as they like and I just don't go for this. I am here to represent the people and this is recommended to us every day by administration. Do this and do that--to hell with the people.

Mr. Chairman: Order please.

Mr. MacKinnon: This is the policy and if I want to change my mind I want to be free to change my mind. I don't want some regulation saying I can't and this is exactly what they are saying.

Mr. Boyd: Is that so Mr. Legal Advisor? Does this say that I can't change my mind at a later date if I so elect, changing the beneficiary?

Mr. Legal Advisor: If the person taking out the insurance has made an irrevocable appointment frequently for value, frequently for a member of a preferred class, frequently in order to put the insurance proceeds beyond the hands of any creditors he may have, it will remain irrevocable. I mean, a man comes to a decision he expects us to abide by that decision. Some other people may be relying on it, so, I may say that it is just in some ways rather similar to the situation in which I make a will leaving the Yukon Territory to somebody--John Jones if you like. If I don't happen to own the Yukon Territory when I die John Jones isn't going to collect. We all make wills which may or may not have any meaning at the time we die. Say it is requested that I give my diamond ring to cousin Agatha, but Agatha is going to be out of luck if you don't happen to have the diamond ring at the time you die. Nothing is certain, but

BILL #17 Mr. Legal Advisor continues...

there are good commercial reasons and good family reasons for making these appointments irrevocable. If a person says it is irrevocable, then it should be irrevocable. I can't defend it on any other grounds. There is not attempt to limit your freedom.

Mr. MacKinnon: Well, Mr. Chairman, no I am not clear no. If I made a will tomorrow and I wanted to change it then, we are just getting into more ramifications as to changing it and I don't believe that this is a necessity. Have you had much trouble here in the past Mr. Hughes with whis particular section the way it is written?

Mr. Legal Advisor: Mr. Chairman, to answer on broader terms than that, I have had no experience of any troubles in the Yukon as a whole from the time that I have been here I haven't seen a case come up. Certainly one hasn't crossed my path directly.

Mr. MacKinnon: Well then Mr. Legal Advisor may I ask a question why are we wasting Counci s time with this particular bill. It seems a ridiculous situtation, I mean we are getting pressed for time here.

Mr. Legal Advisor: The reason it is brought before Council is it is a uniform act and it may be sooner or later situations in which residents of the Yukon are put to extra cost because we are the only persons marching in step, and we are trying to make things easier to conduct business with other parts of Canada.

Mr. Chairman: Clear?

Mr. Boyd: Just for the Chairman's sake, there are times when one wants to do something and he doesn't want it changed under any circumstances and he therefore puts in the word irrevocable. Now, once you do that you have done it with full knowledge of what you are doing and why you are doing it. And this is the only place it applies as I see it, so I don't see anything to worry about.

Mr. MacKinnon: Well Mr. Chairman, maybe Mr. Boyd is getting close to the boarder line but I am a young man and I think it will be a little premature for me to make a will irrevocable and maybe he can do that at his age, but it is near impossible for anybody in his early thirties to start making wills of that nature and as I have stated before we have had no trouble so far. The Legal Advisor plainly points this out. Now you are asking to adapt a complete new policy on this Bill #17. And change it here, change it there. There are very few members around the table that know anything at all about it and they are paying not interest to whatsoever. And if we have had no trouble in the past why should we be changing this particular part of the ordinance at the present time. Do we have that much time this spring, or would people rather get things cleaned up that are necessary and get home. I would for one.

Mr. Legal Advisor: Mr. Chairman, May I just add a comment with regard to dealing with irrevocable wills, with dealing irrevocable designation of a beneficiary you will be reminded in Section 17 (9) the insured may if the beneficiary is over 21 the insured may deal with the policy, 79 in the new

Mr. Legal Advisor continues...

...the beneficiary must be over 21 of course to give that type of consent. Now I am reminded of something indicated earlier in my remarks, once an irrevocable designation is made the insurance money is free from claims of the insurance creditor. Now this is sometimes a most valuable device for protecting the mistakes for the benefit of the family. It can operate to the advantage of members of the family. But the decision has got to be irrevocable. There has got to be no hint that the money might flow back somehow to the insured person. BILL #17.

Mr. Shaw: A supplementary question Mr. Chairman in relation to something like that. Could a possibility like this happen say I made a will and in that will there was an amount of insurance coming at my death...having a number of dollars and then I became indigent and the government had to support me for quite a number of years and therefore had a claim on my estate. If perchance I did die who would receive that money--the beneficiary or the government in this case, people who had kept me for this number of years and further to that I would like to state by just putting in the word irrevocable does that take away all claims from anyone else including the illustration I have made.

Mr. Legal Advisor: Well, there are situations in which even though a designation is not irrevocable it still may escape from the creditors. But you have to look at each situation. With regard to the money being available to satisfy general debts and maintenance there again it depends on the type of appointment to the beneficiary that is made. Now take the case of the group policy at United-Keno, if there is a direct nomination of a beneficiary the money does not form part of the estate, it goes directly to the beneficiary. It's a matter of some...from the point of view of the administration. Sometimes money goes directly to some designated beneficiary living hundreds or thousands of miles away and all the work has to be done locally and since the fees are calculated on the value of the estate, frequently you are calculating the fees on the cash the man has in his pockets. You may do a great deal of work and get a matter of ten of fifty dollars for an estate that really had another $10,000.00 in it.

Mr. Chairman: Are you clear gentlemen?

Mr. Shaw: Just one more question, Mr. Chairman, to make something like this irrevocable, is that all that needs to be added to the agreement between the insured and the insurer is that word irrevocable?

Mr. Legal Advisor: In the absence of...that might cover the situation. I think that would probably establish the matter. I don't speak with too much confidence on that point, but I think so.

Mr. Shaw: Thank you Mr. Chairman.

Mr. Chairman: Clear? Subsection (2) of Section 76, 77 (1). I notice Mr. Legal Advisor this is set up as 77 subsection (1) and there is no number two to this.

Mr. Legal Advisor: I must apologize if that is so. I haven't seen this in this stencil form, all my work has been on the draft sir. It should only be 77 and if you would delete the insert (1) there.

BILL #17 Mr. Chairman: The gentlemen will then delete subsection (1) which is a typeographical error. Section 78, subsection (1) to Section 89 (2).

Mr. Shaw: Mr. Chairman this 89, subsection (1) it appears to me you cannot start action until two years have elapsed. Is that correct?

Mr. Legal Advisor: No, that--it is not preventing you from taking it, it is stopping you from taking it if you don't get on with it.

Mr. Shaw: Thank you Mr. Chairman.

Mr. Chairman: Section 90 (1) to Section 106. I believe that is to be a period, is it not Mr. Legal Advisor, at the end of 106?

Mr. Legal Advisor: Yes it is.

RECESS Mr. Chairman: Reads Section 107. And gentlemen I will declare a recess.

RECESS

Absent: Councillors MacKinnon and Watt

Mr. Chairman: Gentlemen, we will now call Committee back to order and what is your pleasure in relation to Bill No. 17? BILL #17

Mr. Boyd: Mr. Chairman, I would move that Bill No. 17, an Ordinance to Amend the Insurance Ordinance be passed out of Committee without amendment.

Mr. Southam: I'll second the Motion, Mr. Chairman.

Mr. Chairman: It has been moved by Councillor Boyd and seconded by Councillor Southam that Bill No. 17 be reported out of Committee without amendment. Are you prepared for the question, are you agreed? Any contrary? I declare the Motion carried.

MOTION CARRIED

MOTION CARRIED

Mr. Chairman: Did we not have an amendment to Bill No. 4? And is this still pending?

Mr. Clerk: The Ordinance to Amend the Taxation Ordinance - there is an amendment coming - possibly tomorrow morning, or two days from now.

Mr. Chairman: The next Bill is Bill No. 6. And have we any information as to where our Committee has gone in relation to Bill No. 6. BILL No.6

Mr. Clerk: The Committee expects to have recommendations before you by Thursday morning.

Mr. Chairman: We have Bill No. 9, Main Supply Bill; Bill No. 12, Public Service Ordinance. BILL NO. 9

Mr. Clerk: I was speaking to Mr. Strong this afternoon just prior to Council Session and he said he is working on the amendments requested by the Council.

Mr. Chairman: Now in relations to Bills No. 14 and 15 on the Housing Ordinance, do we expect any information on that shortly? BILLS NO. 14 AND 15

Mr. Clerk: We can expect information but I can't say for sure where it is at this time; but I will certainly check into this as quickly as I can.

Mr. Chairman: Thank you. Well, gentlemen that brings us up-to-date on Bills at this time. Do you wish to conclude the Sessional Papers that we have left?

All: Agreed.

Mr. Chairman: The next Sessional Paper, gentlemen, is Sessional Paper 122, Electrical Requirements at Pelly River. (Reads Sessional Paper No. 122, Electrical Requirements at Pelly River). SESSIONAL PAPER #122

All: Clear.

SESSIONAL PAPER NO. 123

Mr. Chairman: The next is Sessional Paper No. 123, Interview Board, Position of Superintendent of Education. (Reads Sessional Paper No. 123).

All: Clear.

SESSIONAL PAPER 124

Mr. Chairman: Next is Sessional Paper No. 124, Progress Yukon Alcoholism Services. (Reads Sessional Paper No. 124).

Mr. MacKinnon enters Council Chambers (3.41 p.m.)

Mr. MacKinnon: Well, Mr. Chairman, in view of the fact that I consume just about as much alcohol as any member of Council, I have a word to say with regard to this. This is an organization, possibly a fine organization like many other organizations that like to build pedestals and I think you can make far more corrections with a horse whip than you can by this way. If I want to quit drinking that is my prerogative then I will stop, I will cut it cold and I think there is very few people that cannot do the same. And this is a fine thing; if we want to go on listening to people and say 'well oh, this is a fine organization' and they help some simple-minded people that couldn't help themselves. Then this is a great thing. Then we give them credit for stopping the poor Joe Blow from drinking and they have told him that it was much better to go to church than it was to drink. Well I think that we should be capable of forming our own opinions and I don't see the necessity of going to deeply into this. It is fine to have a program for a certain few but to get out on a limb and make a big organization of the Territorial Taxpayer's money and I think it is a very wrong thing and I have dealt with this for the greater part of my life and I have met all kinds of these people in logging camps when I was a logger in the West Coast and people that went there for sympathy; went there to get money from other people so they could eat or go on another drunk and this is a very abused thing. I think there are members around the table that possibly have had a few more drinks than they later thought they should and discontinued and a person that doesn't reach that point and doesn't discontinue then he is nothing but another welfare case, another problem and you must face it. But by setting up another welfare establishment to tell him he should quit drinking is a waste of the taxpayers money, I honestly think it is. It is a very funny thing that years ago I came to the Territory when I was a very young man, about twenty years ago, with a couple of people that were qualified alcoholics. I drank very little at that time but they belong to this organization. So they got into the Yukon here and things looked a little better. They were making a few dollars, so they went back all through the same thing all over again, so Alcoholics Anonymous really had done those people no good. It was up to those people. The same thing as a smoker. You decided to quit smoking and throw the cigarettes in the trash can and you quit but for somebody to pat you on the back and say what a wonderful fellow you are, and they you go to another province and you start smoking all over again then you haven't accomplished too much and I'll be quite honest about it. I'm not saying that I wouldn't be classified as an alcoholic or not but nevertheless if I decided tomorrow that I would quit drinking then I would quit without the taxpayer spending money to say that we are doing a glorious job. And yesterday we had got hold of Mr. MacKinnon and he has decided to quit drinking only to find six months later

Mr. MacKinnon continues...
that he is doing the same thing all over again. He was just looking for escaping to a new way of life and I think this is a very wrong policy for the Territorial Government to adapt. And I would be very careful about it if I were other members in setting up funds and encouraging such a policy in the Territory because I don't think it is necessary bucause I don't think you'd stop any individual from drinking. The average native that drinks - he drinks just because it is a habit or he thinks it is smart-it is not because he needs a drink. He can go to the bush and go to work - he can be there for three or four months and come back into civilization in 100% health and he has a pay cheque of $1500 and possibly he will start buying booze with it and end up in a very very poor condition. So, I would take a serious look at this.

Mr. Chairman: All clear, Gentlemen?

All: Clear.

Mr. Boyd: I just note here with interest here that just as soon as this job does become sufficient to employ a man full-time this gentleman will hire another man as he has his way and I wonder what he is going to do. It is all right to say I'm going to be a consultant. I think that is what he is now and I think if the caseload getsto be capable of employing his time, four team men full time period that he should be the one to run it and not bring another one in to take his place while he sits back and carries on in some other way. I just bring this to your attention.

Mr. MacKinnon: Now, gentlemen, I believe that we should hear from every member of Council -- not just say we are agreed because this is setting up a new department, another waste of taxpayers money, and is it required. Are you going to make any improvement. This is the way I see it. We know people coming into this place and that place and they are intoxicated and very undesirable but at the same time are we going to better it. This is the question? And I think that just because, say for instance my father was so called alcoholic that would be no necessity that I should be, and so forth. So, you see the way I see this particular circumstances it is something like religion, it is something that nobody wants to get out and discuss and I believe that it is every member's duty to thoroughly discuss this particular thing before it gets started. I can visualize in two or three years' time seeing a figure in the budget for approximately $100,000 and is it doing any good. This is what I am getting at, Mr. Chairman. I would like to hear from --Mr. Shaw, he knows something of this.

Mr. Shaw: I thank the honourable member for putting me up as an authority on this subject. I don't know a great deal about it and the results of this paper - this paper, I should say is a result of a question I asked of Administration as to what were the results of this Councillor's efforts in the past year since he has been here and I wanted to know as much as I could, or as close as I could as to

Mr. Shaw continues...

how many benefits we were receiving from this service because I had nothing to work on and I note this is a longer paper than I thought I would require for the answer but it is good and it states that out of 160 files, I presume that is 160 clients, 48 clients show a significantly improving pattern in social adjustment. Now when you take 48 people that are showing a significant pattern in relation to say drinking less, I think that is, if it is factual and I assume it is so, that is good; that is 48 people that we have more or less weaned away to some extent from the demon rum and put them on the road to being a productive citizen. I'm not an authority on this though I appreciate the sentiments expressed, but it is apparently a disease, it becomes a disease, alcoholism, and for some people, some very clever citizens of ours, that cannot control themselves-they turn helpless, they are alcoholics and they need help and if we can have a person such as this Consultant and groups like the Alcoholics Anonymous, I think that is very very useful to endeavour to rehabilitate some of these people and at the same time they have carried on educational programs to try to indicate both by visual and other means what can happen when a person becomes an alcoholic. I think this is certainly a good organization. I don't want to see it get out of hand and as far as I'm concerned this one person is all we need at the present time. And if he can show good results such as this I think that it is worthwhile.

Mr. Watt enters Council Chambers (approx. 4 P.M.)

Mr. Chairman: Are you clear gentlemen? Now may we proceed to Bill No. 9, the Main Supply Bill....

Mr. MacKinnon: Well, I'm not exactly clear. We are adapting another policy and we are going to create another pedestal and set up a new Department and the taxpayers are going to pay for this? I can say yes, it is fine, they have improved this one and that one and the other one - but - are they actually improving - these reports, are they factual or are they prepared by that Department or is it an opinion of the public that this improvement is is prepared and my years of experience in the handling of liquor and selling to the public, nine years this spring, and I don't find it that way. I have found that in my area most of our heavy drinkers in the native population have decided to quit on their own. They are no members of the Alcoholic Anonymous association but they have seen fit to give it up as they find it a worthless cause so I am hesitant to state this is a proper way of handling it. I think people reach this stage and there are members at the table that have possibly had the same light or seen the same light, without mentioning any names but to start fooling around with people that are tramps, so to speak, to begin with, where they can join the Alcoholic Anonymous, where they can go to the Mary House, and other places of this nature and get food and get their health back and go back and start drinking again, then I'm wondering if these people are worthy of spending the taxpayers dollars in the beginning. I'm very

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Mr. MacKinnon continues..
dubious about this and I say yes, it is a fine thing if they are helping anybody but the reports they come up with are very contrary to the facts. It is something like taking statistics from Travel and Publicity Department that states we had so many tourists and so many dollars spent. I wonder where they get these facts? Because, as I look into this matter I find there is no basic facts - they are just taking into consideration a person with so many days in the Territory would be spending so many dollars and this is not a fact. I feel persons coming across the border with their own food, under cover, and the dollars he is spending is what he is spending in gasoline tax. That is the only benefit to the Territory and I think that Council should show some concern on the setting up of the new department of this particular thing. I don't know how many people they have helped and I know quite a few people throughout the Territory. I just can't see it.

Mr. Shaw: Mr. Chairman, I wonder if the member from Carmacks-Kluane would subscribe to the parable of the prodical son - at least that's as far as we can go back.

Mr. MacKinnon: I don't follow the Honourable member- the Prodical son, who is that?

Mr. Shaw: Mr. Chairman, that is the person that went stray and they brought him back into the fold and welcomed him back, so that is the case of what they are trying to do in the case of alcoholics except that there are a few more prodical sons than there were in this Biblical story.

Mr. MacKinnon: Have you had some experience, Mr. Shaw.

Mr. Chairman: Gentlemen, I think we have had sufficient time on this paper and we will now proceed to Bill No. 9. and that is the Main Supply Bill, and I will draw to your attention the items you have deferred in the hopes we may be able to proceed with them. The first noted item, gentlemen, is 828 under Vote 8, which is the accommodation of the Territorial Government in relation to the Lynn Building and I believe that matter has now been resolved. The next item is Item 859, the Chilkoot Pass Ceremony. Have you anything further on this, gentlemen?

BILL #9

VOTE #8
Item 828

Item 829

Mr. Thompson: Isn't the Commissioner going to look into that Mr. Chairman, and report back?

Mr. Chairman: Mr. Clerk, would you see if the Commissioner could be available at this time? I will call a short recess.

Mr. Chairman: Gentlemen, I will call Committee back to order and we have with us Mr. Commissioner and Mr. Commissioner, we are doing now a review of those items deferred in the Main Estimates and we have come to - Order Please - 859, Chilkoot Pass Ceremony. Have you any further information ?

BILL # 9
ITEM 859

Mr. Smith: Yes, Mr. Chairman, may I proceed? I have looked into this and I find that this was a joint venture we entered into as a joint centenary effort between the Yukon Territory and Canada and the State of Alaska and the United States. It was to be a flag-raising ceremony at which officials from both the Canadian Federal and American Federal Government and Territorial and State governments would be present. There would be a commemorative plaque unveiled at the time to mark the occasion specifically as it applied to the centenary celebrations being held in Canada and in the State of Alaska. We have not been too successful from either side in getting any firm commitments as to who would be able to be present. The Americans in their initial stages intimated that they hoped to have Secretary Udall there and we in our turn, if this was to be the case, would require the presence of an equivalent counterpart in the presence of a Cabinet Minister. As a consequence this matter has not been satisfactorily resolved and at the present time it is very highly questionable if it will be able to be proceeded with.

VOTE 9
ITEM 913

Mr. Chairman: Are you clear, gentlemen? Your next question is in Vote 9, 913 - Campground Maintenance and Campground Operations. I believe this has to do with Cost sharing and..

Mr. Smith: Yes, this is correct, it shows 50% cost sharing on one and no cost sharing on the other Item. I'm sorry Mr. Chairman, we still apparently do not have this answer here. Mr. Clerk, could I ask you to please get this here as quickly as possible?

Mr. Chairman: Gentlemen, I will note that for further consideration.

Mr. Smith: I'm sorry, Mr. Chairman, I apologize about this.

ITEM
1032
DUST
CONTROL

Mr. Chairman: The next item is 1032, Dust Control.

Mr. Smith: I had conversations with the Territorial Engineer this morning and other related Department heads about this particular matter and I find that in order to give effective control to the dust in a manner which we did last year which consisted, I believe, of two applications in the listed communities plus others that were not on the list last year, is going to in the very best of circumstances, we would get by with $35,000 and under the worst circumstances it would be $40,000. I have asked the Engineer to get together with the Treasurer and see what has to be done in order to give effect to this $40,000 requirement and I have intimated to them that there must be no efforts spared to find the necessary finances to give effect to this. I have not had assurances yet back from Treasury as to what the position will be but we are well aware, Mr. Chairman, that $10,000 is simply not - in fact it would be better not to spend any money if we were only going to spend $10,000 because one application in each locale would cost $17,500 in the very best of weather conditions and there are bound to be delays due to weather that will be involved and I would hope to be able to assure Council tomorrow morning that there will be either a Supplementary Estimate or some other suggestion from the Treasurer that we will be able to give effect to the dust control program as initially outlined.

BILL #9
DUST CONTROL

Mr. MacKinnon: Mr. Chairman, in view of the Commissioner's statement, I would like to ask the Commissioner if the Territory were reimbursed last year for this service on the Alaska Highway such as Haines Junction and other points, by the Department of Public Works, and I believe that this was shown also in the Public Works Department Budget and I would like the Commissioner to verify this and see if this money from the Territorial Budget actually used or were they reimbursed from the Department of Public Works for the Alaska Highway end of it.

Mr. Smith: Mr. Chairman, I cannot speak for years prior to last year. I can tell you that I have investigated this matter and I find that this matter of dust constrol in all communities- no matter if they were located on Territorial roads or on the Alaska Highway were not reimbursed to us in any way, shape or form but were certainly Territorial expenditures. Mr. Chairman, I make my point very clear I cannot speak for years prior to last year. Now it is very possible some other condition existed prior to that time.

Mr. MacKinnon: Mr. Chairman, I might mention that this was the first year we had such a thing as dust control so if you are certain of this and there was no reimbursement then I wonder if this was possible for this to show in two budgets.

Mr. Smith: Well, I wouldn't care to pass any comment on that Mr. Chairman because I'm not competent to speak on that but I can tell you, I forget where the question was raised prior to this - if I remember correctly I think Mr. Chairman it was raised in the Financial Advisory Committee after we got our budget together as to whether or not there was reimbursement on this matter and that was the point when I looked into it.

Mr. Chairman: I don't believe, speaking from the their Mr. Commissioner, that there is any coming reimbursement other than that used in the D.P.W. compounds themselves. The rest is....

Mr. Smith: Oh, this is another matter altogether now, Mr. Chairman. The dust control that goes on say within the camp site at Watson Lake or Haines Junction - this is another matter entirely which we have no - I mean we neither do nor do we pay for it.

Mr. MacKinnon: Mr. Chairman, I'm well aware of that. This is not the question I'm asking and I'll ask the Commissioner at this time if he will look into this and report back to Council as to whether this was included in both budgets and as to who finally paid for the oiling.

Mr. Smith: I could assure you, Mr. Chairman, that in the final analysis the Territorial Government paid for the oiling- as to the occurrence in two budgets and as to what might have happened as a consequence I will find out about that.

Mr. Chairman: Clear, gentlemen?

Mr. Watt: A supplementary question. Didn't D.P.W. take care of the oiling and pay for the oiling in Rabbit's Foot Canyon at Porter Creek?

BILL NO. 9 Mr. Watt continues...

DUST CONTROL The reason I proceeded with this a little further was that the last Commissioner had agreed to see D.P.W. if they would pay for on the Alaska Highway through the settlements- I think an agreement had been reached that probably - just a lack of billing.

Mr. Smith: Well, I think that the specific question that is referred to here and in the Rabbit's Foot Canyon-Porter Creek Area, I will have to look into that - while I was answering the question Mr. Chairman, I make my point very clear that I was referring to the oiling that was done under Territorial auspices in settlements -Watson Lake, Haines Junction and so on down the line. Now I don't know about this specific situation here with regard to the Rabbit's Foot Canyon- Porter Creek. I will look into that, and also the duplication or the apparent duplication of budgetary requirement- budgetary provision.

Mr. Watt: One thing further with respect to this. I would just like to mention that the stuff they are using on the roads here they quit using outside, I'm informed, fifteen years ago- that isn't too satisfactory. We are buying this stuff now in sufficient quantities that we could something that is specifically designed for this purpose rather than use something that is designed for asphalt. I think it is worth making a note of that if you could find something more satisfactory as is being used outside.

Mr. Smith: In other words, what we want to find out, Mr. Chairman, is what our material specs are for.(inaudible).

Mr. Watt: I think they are (inaudible) in asphalt.

Mr. Smith: I see.

Mr. Chairman: All clear now, gentlemen? The next two items are the Vocational School and the Dormitory and I believe these are deferred until we see the Agreement, if I'm not mistaken. The next two are Mine Rescue - 2810 and 2811.

MINE RESCUE Mine Safety Warehouse, Elsa; and Mine Safety Warehouse, Carmacks. And I believe this is a cost sharing item as well.

Mr. Smith: Well, I think Council wanted to have Mr. Oliver here, as I understood it, Mr. Chairman to go into this whole budgetary requirement here. I think the big question was what is going to happen (a) it is a Federal responsibility but by the same token it is down under our legislation and as the cost is to be billed out against the Mining companies what happens if we don't have enough mining companies in order to pay the bill. Now, if I remember correctly these were the questions that Council were specifically asking.

Mr. Watt: Mr. Chairman, my main objection was that revenues from resources, mines and minerals, oil, gas and water accrued to the Federal government and here they are handing us the bill but they are receiving the revenue so I'm not objecting to the mine rescue program. I think it is needed and I think Council has agreed upon this but I think Mr. Oliver agreed to that possibly the Federal Government would agree to pick up the costs of this because of our peculiar circumstance with regard to the revenue of this thing and we thought you might inquire about recovering - asking the Federal government to guarantee 100% recoverable that is not picked up from the mining companies. I don't think this

Mr. Watt continues... BILL #9

should be a charge against the Territory under the circumstances.

Mr. Smith: Well, in other words as I understand it the question is basically that Council has no objections to voting the money providing the uncollected portion is not going to be a charge against the Territorial Budget. Is this my understanding, Mr. Chairman? Is this what the question is?

Mr. Chairman: It would appear, Mr. Commissioner. I was not here at the time this was discussed.

Mr. Shaw: That is correct, Mr. Chairman.

Mr. Smith: I think I could make a phone call with regard to this situation.

Mr. Boyd: Further to that, we're not talking about a matter of $10,000; we're talking about a matter of just about $50,000 including capital and $27,000 for the maintenance ... including salaries and this is something that got started off to be nothing and to be a Federal responsibility but it has come in a little at a time like a snake crawling in your back door and it is all in our bailiwick. Mr. Oliver could not guarantee in any way that the Federal government will take any responsibility for this and I think as Mr. Watt points out, it should never get into the Territorial taxpayers expense.

Mr. Smith: I would be very pleased to check and phone first thing in the morning and see just where we stand on this, Mr. Chairman. Would I be correct in assuming that as the Capital requirement is not a charge against the Territory in any event, that it is the Operation and Maintenance side of it that Council wants assurance on is not going to become a charge against the Territorial Government?

Mr. Boyd: On page 11 here we have Mine Safety warehouse at Elsa. But I don't know whether this is $10,000 or $11,000 but it looks like $10,000 to me - $19,200 and we have another one - provision for the construction of another one at Carmacks and there is nothing about this being any part of Federal responsibility - it's ours, according to the way I read this and I don't think it should be in here. And we have $27,000, if I remember the figure rightly-under Maintenance. Now this is just a case of where another $50,000 has got tossed into the wrong pocket, wrong responsibility.

Mr. Southam: Mr. Commissioner, I wonder if you could find out who paid for it in the Northwest Territories?

Mr. Smith: Could I ask, Mr. Chairman, perhaps the Councillor can tell me - do they have similar Ordinances there as far as you know, Sir?

Mr. Southam: I think Mr. Legal Adviser could come up with the answer.

BILL NO.9

Mr. Hughes: The Northwest Territories did have a similar Ordinance and at the last session, I think it was, they changed their Mine Safety Ordinance to allow assessment against the mine companies. We don't have that provision. We have no machinery for assessing against a mining company at all and the obligation in our Ordinance is laid firmly on the mine company, so, anything that is agreed upon must presumably be by way of contract but if your mining company disappeared here you would have, the Territory would have no remedy, having laid out the money. It doesn't actually say in the Northwest Territories this and I think their Ordinance is defective in this respect as to what happens if a Mine company flatly refuses to pay after it has been assessed. There is no provision at all. They have gone in with an amendment but they haven't perhaps allowed their thinking to develop so you can say that they do have provision for assessing a mining company but if the mining company doesn't cooperate they don't have the machinery for recovering it.

Mr. Southam: Well Mr. Chairman, I think, if I can remember the Mining Act properly, any company has got to train so many men and how they train them that remains to be seen. The thing is that it is cheaper and better to have them trained the way that they are being trained now. I think you will find in the Northwest Territories they have a mine rescue station in Yellowknife and they also have a mine rescue inspector whose salary is paid by the mines the same as your instructor is going to be paid here on the same basis. At least that is the way I understand it. I think it is more or less the same, but in the Mining Act itself it definitely states that any company must train so many men as mine rescue men. The reason this is done on a voluntary basis because you get a better class of men to do it. You can't tell a man he must train for mine rescue but quite frequently it goes against the grain and all men can't wear a respirator.

Mr. Smith: This is a very, very valid situation and I wonder if Mr. Clerk will arrange for me to see Mr. Oliver before he leaves the building here at five o'clock and I will make the necessary arrangements tonight to contact Ottawa in this regard so that I will have an answer to Council in the morning.

Mr. Chairman: Thank you Mr. Commissioner. I have noted this for further reference, gentlemen, all these items that still require answers. Now, the next and final item was 2806 which had to do with partitions to the Lynn Building and I believe that matter has now been resolved. Gentlemen, with the balance of the items still unattended to I have noted and will draw to your attention when we discuss the Main Supply Bill. We have come to a point gentlemen where we have just run out out of work.

LYNN BUILDING

FLOTILLA PROJECT

Mr. Watt: With respect to Centennial projects, has the Commissioner had a submission or a request from the Flotilla Association at Dawson City. I have some correspondence in respect to that regarding assistance. Have you received any correspondence with respect to that.

Mr. Smith: It hasn't come to my personal attention, Mr. Chairman, but I would hesitate to say that there has not been correspondence. Could the Councillor advise me if it is assistance from some of our departments they were looking for or financial assistance - if I had that indication I would be very happy to look into that and see what is going on?

Mr. Watt: I'll just leave my correspondence with the Commissioner.

Mr. Chairman: Possibly at this time Mr. Clerk, I wonder if you could assist me in preparation for agenda consideration this evening in relation to what we have coming on Bills for tomorrow - do you have anything to report (inaudible) And I believe Mr. Commissioner you indicated this morning some materials would be coming with regard to the Five Year Agreement.?

Mr. Smith: Could I be excused for just a minute or two - I think I can get answers on this.

All: Agreed.

Mr. Chairman: I declare a short recess.

Mr. Smith returns to Council Chambers.

Mr. Chairman: At this time I will call Committee back to order. Mr. Commissioner, have you been able to learn anything.

Mr. Smith: Gentlemen, I think you all realize that the business business at hand here now comes in three parts. There is the report of the Inter-Departmental Committee, the agreement itself and the Ordinance which is required for Council to pass which effectively authorizes me to sign this Agreement on behalf of the Territory. Now on point number one, the Ordinance - Mr. Legal Adviser tells me that this will be available for tabling tomorrow morning. The ...(absolutely unable to hear anything on tape) Thirdly, the agreement itself as I reported to Council, Ottawa has promised to have it here for Wednesday. I suggest that we look to having it tabled on Thursday.

Mr. Chairman: Mr. Commissioner, have you been able to determine what may be coming from yourDepartment tomorrow morning?

Mr. Watt: I think the two most important things should come first - the Inter-Departmental Report and the Agreement. I think the Ordinance itself is probably pretty short if I remember correctly from the last one - it is very short and just a formality and all discussions take place in the other two reports and the Ordinance itself is a formality and can be dispensed with easily afterwards. I don't know what position we'd be in if we discussed the Ordinance first and give you authority to signing everything first so, could I ask the Commissioner how long the Ordinance itself is - and does it embody very much?

Mr. Smith: It is strictly a formality, Mr. Chairman, and I

Mr. Smith continues...
had it on my desk to look at here. I think I reported to the Financial Advisory Committee-it was Thursday or Friday - and it has simply been to the Legal Adviser for checking - now he tells me he sent it to the Clerk's office for mimeographing and it readily available. It is very short - about two and a half pages and strictly a formality.

Mr. Chairman: Gentlemen, what is your further pleasure at this time?

Mr. Shaw: Mr. Chairman, I just wonder what we have to work at tomorrow morning? Or tomorrow?

Mr. Chairman: Mr. Clerk, are there no Sessional Papers coming tomorrow?

Mr. Clerk: At the present moment there are no Sessional Papers being prepared in our office but there are Sessional Papers forthcoming in answer to some questions.

Mr. Chairman: In relation to the Electrical Ordinance, would you say Thursday we could have a reply on this?

Mr. Smith: Mr. Chairman, have you not heard from your Committee in respect to that?

Mr. Chairman: I believe some one tracked them down.

Mr. Watt: If the Council wishes something to do I'd be happy to make a few motions with respect to the Yukon Act.

Mr. Shaw: You've been away all day figuring them out?

Mr. Smith: One thing I would like to ask Council, Mr. Chairman, there is just one physical establishment and I am wondering if Council would wish to visit before it gets into official operation and that is the medium security plant. If you wish to go there I would be happy to arrange it. I don't imagine that you would want to go as a body when it is in operation but if you wish to go there to have an inspection just prior to - we hope to have it operating very shortly and if Council wish to do that I would be very happy to arrange this.

Mr. Chairman: Is that the medium or the minimum?

Mr. Smith: No, this is the medium security.

Mr. Shaw: Mr. Chairman, I was wondering if we have to wait for two or three days before we get any business - that would bring us down to about two days and then there is Saturday and Sunday and that would be another two days and in the meantime we would put in about seven days, six or seven days work you can get two days work and if we have nothing I would just suggest for consideration that we recess tonight until Monday and then we have a go at it and complete it. I assume everything would be here by Monday. That is merely a suggestion. I haven't strong feelings on it

Mr. Shaw continues...
but I certainly have strong feelings to waiting a couple of days and not being able to do anything and then another couple of days after that.

Mr. MacKinnon: Is that a Motion Mr. Chairman?

Mr. Shaw: No, it is not a Motion. I didn't want to bring a motion but it was something I wanted for discussion first- I didn't want to force anything.

Mr. Watt: Mr. Chairman, Mr. Shaw does have a suggestion and I am completely at the disposal of the members from out of town because they are being inconvenienced more than I am by staying here but I would also like to say that with regard to the invitation that the Commissioner has extended, there has also been a very cordial invitation extended to the Territorial Councillors sometime if they wish, to have a look at, and inspect the newest mine that has recently gone into production in the Yukon Territory - the New Imperial Mines. If you would like to see that sometime, if you could -possibly the same day if we were going to take a couple of hours off, or some noon hour or something like that. It is completely up to yourselves but the invitation is there and I for one would certainly like to accept the invitation and have a look at their construction.

Mr. Southam takes the chair.

Mr. Taylor:
Mr. Chairman, in resolving this problem we seem to have got ourselves to a point of course where we have very little to do at the moment but I would much prefer for my own part that if by Wednesday, or possibly even Thursday morning we may reasonably expect the Electrical Ordinance information so we can proceed with that or some matters in relation to the Five Year Agreement that we can get started on, more particularly the Two Year Agreement, whatever it might be. I would suggest that what we do is knock off till Wednesday morning or Thursday morning and then give us two days, Thursday and Friday and it gives us then the week-end to consider that Agreement because certainly there is going to be a lot of pouring over this Agreement and if there is any chance that we would have even a synopsis to this thing by Thursday morning I would say that we should sit on Thursday morning again and possibly in the interim we could avail ourselves of some of these other things that are brought up - visits or just personal work among administration for those two days but I would not like to see us knock off until next Monday because it is a long way to go home and a long way to come back and you got to move and shuffle and everything else for an out of town person at least and these are my thoughts in relation to the matter. But I would ask is it possible on Thursday morning we would have sufficient information here for us so we could usefully get back to work?

Mr. Smith: Mr. Chairman, I am very, very sorry that we have arrived at this point in time as far as Council is concerned and I want you to believe me in all sincerity that we have done every mortal thing in our power here in my administration to prevent this particular impasse arising. And I cannot say here and state for certain that we will have

Mr. Smith continues...
these items for Thursday morning. I would say this for certain that we will continue to strive and do our very utmost to have them here just as quickly as possible but I hesitate to say definitely they will be available for Thursday morning and then Thursday morning comes and I don't have them available. I just can't see any point to misleading you that I have enough information on hand to say definitely they would be here for Thursday morning - this would not be right for me to say.

Mr. MacKinnon: Mr. Chairman, in view of the facts presented to us I will make a motion at this time that the Speaker now resume the chair and hear the report of committee and furtherance to this we adjourn until Monday morning at ten o'clock.

Mr. Taylor: Mr. Chairman, I think that is a little premature. We should first find the course of action that we are going to follow and that would be taken up in Council and Mr. Speaker does resume the Chair and just before I resume the Chair in Committee I would say I would be quite prepared to be here Wednesday or Thursday morning as the case might be to carry on with business and I will be here, and quite frankly I would like to carry on with anything this coming week.

Mr. MacKinnon: If there is nothing to do why kill time and I am quite certain Mr. Shaw has something to do and other members have something to do, and if we can adjourn until Monday morning and come back and do business, and I would suggest it is only a matter of killing time, so why sit here and kill time. We can adjourn until Monday morning and come back and start and do a little bit of business instead of what we have been doing for the past week and I would suggest that has only been a matter of killing time and prolonging the agony. Let's get down to earth and come back when we have something to discuss instead of being in one another's hair all the time.

Mr. Taylor: Mr. Chairman, I haven't been here killing time- Ihave been here doing my work every day - every minute of it too.

Mr. Shaw: My point is two days - it takes me a day to go home and a day to come back so there is no point - I'd just sit around the hotel for two days waiting for something to start up. I'd work for two days and then sit around for another two days. I don't mind if I'm working either at this end or that end but I object to sitting on my fanny doing nothing and that is just about what would happen this week- that's why - we won't get anything here by Thursday and I'd just as well that we recessed and come back on Monday. We should have a full slate of work to do and possibly get through with it next week some time and that I would feel would be appropriate. It would require a motion of council to waive the rules in order to do such a thing so it should be fairly unanimous feeling of this Council or Committee, whichever you say. Myself I'd sooner get into it and work steady than keep waiting until you get something and maybe it will and maybe it won't. I have another thing to

Mr. Shaw continues...
consider that I have the break-up in my area, right along side my house too and it might break up just at the time I am there and at least I'd be around to see what is going on - anyhow there is another consideration.

Mr. Boyd: Mr. Chairman, I think you have no choice really because the Commissioner cannot promise you anything for Thursday and it would be pushing the gun pretty hard also I think. So, I think you are just about a situation where you have to consider next Monday as the day for starting in again.

Mr. Taylor resumes the Chair.

Mr. Chairman: What is your further pleasure gentlemen?

Mr. Boyd: I would move that the Speaker do now resume the Chair and hear the report of committee.

Mr. MacKinnon: I'll second that Motion, Mr. Chairman.

Mr. Chairman: May Mr. Commissioner be excused at this time?

All: Agreed.

Mr. Smith: Thank you very much, gentlemen.

Mr. Chairman: Gentlemen, it has been moved by Councillor Boyd and seconded by Councillor MacKinnon that Mr. Speaker do now resume the Chair and hear the Report of the Chairman of Committee? Are you prepared for the question? Are you agreed? Any contrary?

MOTION CARRIED

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

REPORT OF COMMITTEES

Mr. Taylor: Mr. Speaker, the Committee convened at 11.20 A.M. to discuss Bills, Memorandums, Sessional Papers and Motions. Committee first dealt with Bill No. 17. The Committee recessed at twelve noon and reconvened at 2 p.m. It was moved by Councillor Boyd, seconded by Councillor Southam that Bill No. 17 be reported out of Committee without amendment. Motion carried. I can report progress on Bill No. 9. It was moved by Councillor Boyd, seconded by Councillor MacKinnon that Mr. Speaker do now resume the Chair and hear the Report of the Chairman of Committees and this Motion carried.

Mr. Speaker: Gentlemen, you have heard the reading of the Chairman of Committees report. Are you agreed with the report?

All: Agreed.

Mr. Speaker: What is your pleasure at this time?

Mr. Chairman: I can also report that we have now gone about as far as we can go in Committee as a whole, having dealt with most of the matters available to us at this time. We now require additional information and material before we can proceed.

Mr. MacKinnon: Mr. Chairman, in view of the facts stated Mr. Speaker by the honourable member from Watson Lake, I would like to make a motion that we adjourn until ten o'clock on Monday morning. Possibly I should move the procedures for Monday morning prior to this motion?

Mr. Speaker: Well, the Motion is out of order - what would be in order would be a motion to waive the rules that Council be recessed until Monday morning.

Mr. MacKinnon: Thank you Mr. Speaker. Then I'll move that Council waive the rules and recess until ten o'clock on Monday morning.

Mr. Boyd: I'll second the Motion.

Mr. Speaker: It has been moved by Councillor MacKinnon and seconded by Councillor Boyd that Council waive the rules and that Council recess until ten o'clock on Monday morning. Are you ready for the question? Are you agreed to the Motion? Are there any contrary. The Motion is carried.

Mr. Taylor: Does this not have to be unanimous Mr. Speaker?

Mr. Speaker: I asked for contrary and nobody said a thing. Those agreed with the Motion please signify. Those contrary please signify. The motion is defeated.

MOTION DEFEATED

MOTION DEFEATED

Mr. Chairman: What is your pleasure now gentlemen?

Mr. MacKinnon: Mr. Speaker, I would like to have several days off at this time and return next Monday morning.

Mr. Chairman: Mr. Speaker I would think that possibly there is another approach to this problem and that is to sit on Thursday morning and pick up where we left off. Certainly by Thursday morning there should be some materials here which we could occupy our time with.

Mr. Speaker: Well gentlemen, what is your pleasure at this time. It is after five o'clock.

Mr. Watt: Mr. Speaker, I'm completely at the disposal of whatever Council wishes - if they want to meet earlier. Out of respect for yourself you have stated that you would sooner have a little more time off and look at the flooding conditions, etc. in your home constituency and I would certainly go along with any suggestion that we adjourn until we have sufficient work to finish here but apparently there does not appear to be unanimous consent - unless other Councillors would like to speak up. But I'm completely at the disposal of the Councillors from out of town because I can budget my time to go along with what the majority want.

Mr. Taylor: Mr. Speaker, I would move that we waive the rules of the house and do not sit again until Thursday morning at ten o'clock.

Mr. Southam: I second the motion, Mr. Speaker.

Mr. Speaker: It is moved by Councillor Taylor that we waive the rules and that Council recess until ten o'clock Thursday morning. Are you ready for the Question, are you agreed with the motion; are there any contrary?

MOTION DEFEATED

MOTION DEFEATED

Mr. Speaker: I think a motion to adjourn would be very much in order, gentlemen.

Mr. Boyd: Mr. Speaker, I would move that we adjourn.

Mr. Speaker: Thank you Mr. Boyd. This Council now stands adjourned until tomorrow morning at ten o'clock.