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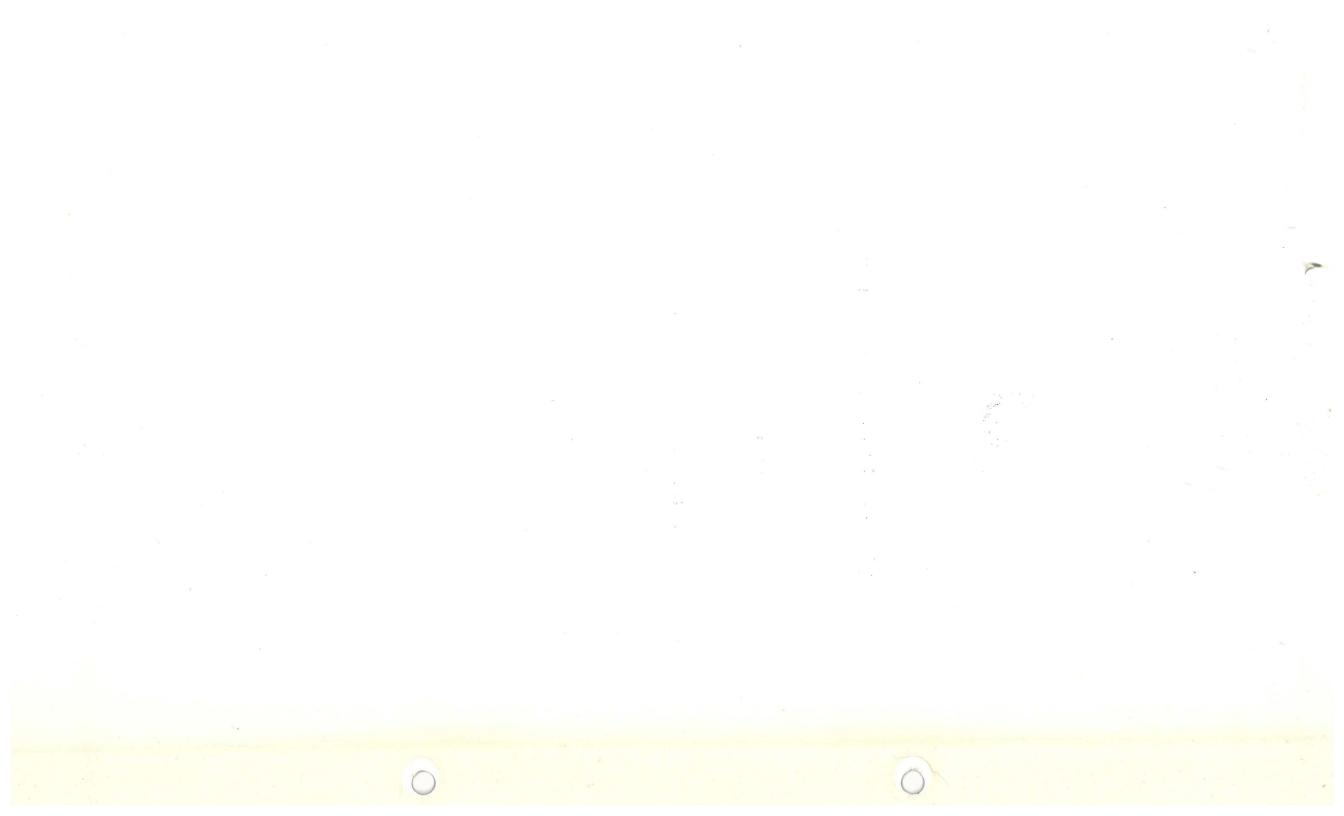


YUKON TERRITORIAL COUNCIL

SECOND SESSION 1966

Votes and Proceedings

Volume 1



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VOTES AND PROCEEDINGS OF THE

COUNCIL OF THE YUKON TERRITORY

Monday, November 7, 1966 10:00 o'clock a.m.

The Second Session of the Council for the Year 1966, being the Fifth Session of the Twentieth Wholly Elective Council for the Yukon Territory, was convened in the Council Chambers at 10:00 o'clock a.m., on Monday, November 7, 1966.

The Members present were:

THE SHAPE OF BUILDING

Mr. George O. Shaw, Dawson Mr. Hubert E. Boyd, Whitehorse East

Mr. J. K. Thompson, Whitehorse North

Mr. Frederick G. Southam, Mayo

Mr. Robert D. MacKinnon, Carmacks-Kluane

Mr. Donald Taylor, Watson Lake Mr. John Watt, Whitehorse West

The Clerk read the Proclamation.

The Speaker, Mr. George Shaw, was ushered into the Council Chambers by the Sergeant-at-Arms.

Mr. Speaker: The Fifth Session of the Twentieth Wholly Elective Council of the Yukon Territory will now come to order. Mr. Clerk, will you please usher the Commissioner into the Council Chambers so that we may hear his opening address.

The Commissioner of the Yukon Territory, Mr. James Smith, was ushered into the Council Chambers by the Sergeant-at-Arms.

Mr. Speaker: Before we hear your opening address I would like to welcome you Mr. Smith and congratulate you on your appointment as Commissioner of the Yukon Territory. Your experience as a former Territorial Councillor, City Alderman, and as a businessman for many years in the Yukon have given you a wealth of experience that will be valuable in the difficult task you have undertaken. You have an assignment that I feel personally you are qualified to perform. I wish to assure you on behalf of the Territorial Council of the utmost co-operation and that we may collectively serve the interests of the Yukon Territory. We shall look forward to having you.

The Commissioner gave his opening address. (Set out as Sessional Paper No. 24)

SESSIONAL PAPER #24

Mr. Speaker: Thank you Mr. Commissioner. Your address touched on many important matters. I will table your address at this moment.

Moved by Councillor Boyd and seconded by Councillor MacKinnon that the Commissioner's address be given consideration on the following day.

> MOTION CARRIED

Moved by Councillor Taylor and seconded by Councillor Southam that Bill No. Five, an Ordinance to Amend the School Ordinance, be introduced.

MOTION CARRIED

Carlotte Carlotte (1966)

SAME AND CARRIED PARTIES NOTION CARRIED Moved by Councillor Thompson that Council be adjourned until 10:00 o'clock a.m., Tuesday, November 8, 1966.

MOTION CARRIED

Mr. Speaker: This Council now stands adjourned until 10:00 o'clock tomorrow morning. ுள்ளியில் நடைத்து அதிகுகிய இருந்து இது நடித்து இது இருக்கு குறு குறுக்கு இது இருக்கு இருக்கு இருக்கு இருக்கு இ oplitat of the laws his organism of the stable

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Page 3 Tuesday, November 8, 1966 10:00 a.m.

Mr. Speaker read the daily prayers and Council was called to order. The seven Councillor, the Commissioner, and the Legal Advisor were present.

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

Mr. Clerk: There is Mr. Speaker?

Mr. Speaker: We will proceed with the first item on the Agenda which is correspondence. Have we any correspondence Mr. Clerk? Control of the Contro

Mr. Clerk: We have three Sessional Papers Nos. 26, 27, and 28. Number 26 is Landing Facilities at Ross River, 27 is the Acquisition of the B. C. Pan Handle, and 28 is regarding #27, and #28 Highway Signs. Andrew grant on the

Mr. Speaker: Is there any further correspondence?

Mr. Clerk: That is all Mr. Speaker.

Mr. Speaker: Have we any Reports of Committees? We have a number of Bills to be introduced at this time. What is your pleasure gentlemen?

Mr. Boyd: Mr. Speaker, I beg leave to introduce Bill #1, An Ordinance to Amend the Companies Ordinance.

INTRODUCTION OF BTT.T,S BILL #1

INTRODUCED

SESSIONAL

PAPERS #26.

Mr. Southam: I second the motion.

Mr. Speaker: It has been moved by Councillor Boyd and seconded by Councillor Southam that Bill #1, An Ordinance to Amend the Companies Ordinance, be introduced at this time. Are you ready for the question? Are you agreed with the motion? Any contrary? The motion is carried.

MOTION CARRIED

MOTION CARRIED

Mr. Boyd: Mr. Speaker, I beg leave to introduce Bill #2, An Ordinance to Amend the Taxation Ordinance, at this time.

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

Mr. Speaker: It has been moved by Councillor Boyd and BILL #2 seconded by Councillor Southam that Bill #2, An Ordinance to INTRODUCED Amend the Taxation Ordinance, be introduced at this time. Are you ready for the question? Are you agreed with the motion? Any contrary? The motion is carried.

MOTION CARRIED

MOTION CARRIED

Mr. Taylor: Mr. Speaker, I beg leave to introduce at this time Bill #3, An Ordinance to Amend the Municipal Ordinance.

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

Mr. Speaker: It has been moved by Councillor Taylor and seconded by Councillor Southam that Bill #3, An Ordinance to Amend the Municipal Ordinance, be introduced at this time. Are you ready for the question? Are you agreed with the motion? Any contrary? The motion is carried.

INTRODUCED

MOTION CARRIED

MOTION CARRIED Mr. Boyd: Mr. Speaker, I beg leave to introduce Bill #4. An Ordinance to Amend the Liquor Ordinance.

TNTRODUCED

Mr. Southam: I second the motion.

Mr. Speaker: It has been moved by Councillor Boyd and seconded by Councillor Southam that Bill #4, An Ordinance to Amend the Liquor Ordinance, be introduced at this time. Are you ready for the question: Are you agreed with the motion? Any contrary? The motion is carried.

MOTION CARRIED

MOTION CARRIED

at it he beginning Mr. Taylor: Mr. Speaker, I beg leave to introduce at this time Bill #6, An Ordinance to Amend the Coroners Ordinance.

Mr. Southam: I second the motion, Mr. Speaker.

Mr. Speaker: It has been moved by Councillor Taylor and seconded by Councillor Southam that Bill #6. An Ordinance to INTRODUCED Amend the Coroners Ordinance, be introduced at this time. Are you ready for the question? Are you agreed with the motion? Any contrary? The motion is carried.

MOTION CARRIED

MOTION CARRIED

Mr. Southam: Mr. Speaker, I beg leave to introduce Bill #7, An Ordinance to Amend the Low Cost Housing Ordinance.

BILL #7 INTRODUCED Mr. Boyd: I second the motion.

Mr. Speaker: It has been moved by Councillor Southam and seconded by Councillor Boyd that Bill #7, An Ordinance to Amend the Low Cost Housing Ordinance, be introduced at this time. Are you ready for the question? Are you agreed with the motion? Any contrary? The motion is carried.

MOTION CARRIED

MOTION CARRIED Mr. Boyd: Mr. Speaker, I beg leave to introduce Bill #8. An Ordinance to Amend the Fire Prevention Ordinance.

Mr. MacKinnon: I second it.

BILL #8 INTRODUCED

Mr. Speaker: It has been moved by Councillor Boyd and seconded by Councillor MacKinnon that Bill #8, An Ordinance to Amend the Fire Prevention Ordinance, be introduced at this time. Are you ready for the question? Are you agreed with the motion? Any contrary? The motion is carried. MOTION CARRIED

Production of the second section of

CARRIED

Mr. Taylor: Mr. Speaker, I beg leave to introduce Bill #9.
An Ordinance to Amend the Motor Vehicles Ordinance.

Mr. Boyd: I second it.

BILL #9 INTRODUCED

Mr. Speaker: It has been moved by Councillor Taylor and seconded by Councillor Boyd that Bill #9, An Ordinance to Amend the Motor Vehicles Ordinance, be introduced at this time. Are you ready for the question? Are you agreed with the motion? Any contrary? The motion is carried. MOTION CARRIED

MOTION CARRIED

Mr. Southam: Mr. Speaker, I beg leave to introduce Bill #10, An Ordinance to Authorize the Commissioner to Lend Money to the City of Whitehorse for the Construction of Municipal Works.

Mr. MacKinnon: I second it.

BILL #10
INTRODUCED

Mr. Speaker: It has been moved by Councillor Southam and seconded by Councillor MacKinnon that Bill #10, An Ordinance to Authorize the Commissioner to Lend Money to the City of Whitehorse for the Construction of Municipal Works, be introduced at this time. Are you ready for the question? Are you agreed with the motion? Any contrary? The motion is carried.

MOTION CARRIED

MOTION CARRIED

Mr. Boyd: Mr. Speaker, I beg leave to introduce Bill #11, An Ordinance For Granting to the Commissioner Certain Sums of Money to Defray the Expenses of the Public Service of the Territory.

BILL #11
INTRODUCED

Mr. Taylor: I second it.

Mr. Speaker: It has been moved by Councillor Boyd and seconded by Councillor Taylor that Bill #11, be introduced at this time. Are you ready for the question? Are you agreed with the motion? Any contrary? The motion is carried.

MOTION CARRIED

MOTION CARRIED

Mr. Taylor: Mr. Speaker, I would beg leave to move that the first reading be given to Bill #5, An Ordinance to Amend the School Ordinance.

Mr. Southam: I second the motion.

Mr. Speaker: It has been moved by Councillor Taylor and seconded by Councillor Southam that first reading be given to Bill #5, An Ordinance to Amend the School Ordinance. Are you ready for the question? Are you agreed with the motion? Any contrary? The motion is carried.

BILL #5 FIRST READING

MOTION CARRIED

MOTION CARRIED

Mr. Taylor: I beg leave to move that second reading be given to Bill #5, An Ordinance to Amend the School Ordinance.

Mr. Southam: I second the motion.

Mr. Speaker: It has been moved by Councillor Taylor and seconded by Councillor Southam that second reading be given to Bill #5, An Ordinance to Amend the School Ordinance. Are you ready for the question? Are you agreed with the motion? Any contrary? The motion is carried and Bill #5 has been given second reading.

BILL #5 SECOND READING

MOTION CARRIED

MOTION CARRIED

Mr. Taylor: I would move that Mr. Speaker leave the chair and Council resolve into Committee of a Whole for the discussion of Bills, memorandums, and sessional papers.

Mr. Speaker: Just a moment Councillor Taylor, we have other business before we get to that part of the agenda. Have we any Notices of Motion and Resolution? Have we any Notices of Motion for the Production of Papers? Have we any questions?

Mr. MacKinnon: Mr. Speaker, I have a question I would like to direct to the Clerk in regard to skidoos and if there is anything in view for a change of licence rates that are being charged?

Mr. Speaker: Mr. Clerk, would you care to answer that question.

Mr. Clerk: Yes Mr. Speaker. A copy of a Bill was forwarded to all Councillors and if they look at that Bill they will see that this is one of the items on the amendment to the Motor Vehicles Ordinance.

Mr. Speaker: Bill #9, Mr. MacKinnon. Does that answer your question?

Mr. MacKinnon: Thank you, I haven't read the Bill.

Mr. Speaker: Are there any further questions? I think your motion Mr. Taylor that you started out with a little while ago would be in order at this time if you care to proceed.

Mr. Taylor: Yes Mr. Speaker. I move that the Speaker leave the chair and Council Resolve itself in the Committee of a Whole for the purpose of discussing Bills, etc.

Mr. Watt: I second the motion Mr. Speaker.

Mr. Speaker: It has ben moved by Councillor Taylor and seconded by Councillor Watt that the Speaker now leave the. chair and Council resolve itself into Committee of a Whole for the discussion of Bills, Sessional Papers, and Memoranda. Are you ready for the question? Are you agreed with the motion? Are you contrary? The motion is carried and Mr. Taylor will take the chair in the Committee of a Whole.

Mr. Taylor: I will declare a short recess.

RECESS

SESSIONAL PAPER #26

CARRIED

RECESS

MOTION

3.5907.1

2477

The second of th Mr. Taylor: I will call the committee to order and we have before us Sessional Paper #26 - Landing Facilities at Ross River.

Mr. Taylor: What company is referred to on this paper?

Mr. Clerk: I will have to look at the correspondence on it.

Mr. Watt: I would like to ask a question, has there been any indication, possibly Mr. Commissioner can answer, or any knewledge that the Administration has, of progress towards the building of a new terminal building in Whitehorse?

WHITEHORSE TERMINAL BUILDING

Mr. Commissioner: Mr. Chairman, there is nothing that I am personally aware of but I will certainly see that you are advised after lunch if there is anything that we are aware of. This is concerning new terminal facilities?

Mr. Watt: Yes, that had been planned and shelved.

Mr. Thompson: Gentlemen, could somebody enlighten me as to what NDB means?

Mr. Taylor: This is non-direction beacon.

Mr. Shaw: It does appear that this is a letter that some company sent and a copy has been sent to the Territorial Government. I have a question, the Commissioner may have some difficulty in answering at this time but he may be able to find out. Where does the Department of Transport fit in on these aerodromes or facilities. It seems that if they want to take over an airport well then they take over an airport and if they want to drop it they drop it, just whatever they feel like and it just doesn't seem like they have any programmed plans. For example, we were in the process of carrying out a fesibility study, by we I mean the Territorial Government, in Old Crow. It is a long ways between there and some place else to land an airplane so we started in and the next thing I heard was that the Department of Transport had decided to get into the act and do something. Mind you I am very happy to hear that but I would like to know where this thing starts and where it stops, who decides where to have an airport or don't have one. The policy seems to be exceedingly vague. I would like to know what the policy is and if there is any means of finding out does this depend on some official in Ottawa saying there will be an airport here or there. there some way of finding out.

SESSIONAL PAPER #26

Mr. Commissioner: Mr. Chairman, I would say to the unpracticed eye that what Mr. Speaker has just said is correct, I will make it my business to find out what the general policy situation is Mr. Chairman and that Council is properly appraised of the situation that has been raised by the Councillor and where the D.O.T. starts and where they stop where airport maintenance and construction is concerned.

Mr. Shaw: I am very happy to hear that, I have been trying to get that answer for many years.

Mr. Taylor: Mr. Boyd, will you take the chair. Mr. Chairman, in this respect I received a copy of two policies in the mail. It outlines first the Northern Affairs and National Resources policy in respect to aerodromes in the North. The other copy was a copy of a document of D.O.T. policy of rerodromes in the north. In respect to Ross River, I took this to Ross River and we studied it and we found that we indeed were in line for complete financial assistance in respect to Ross River this season, federal assistance. That is to say that there would be many take-offs and landings and we found that we fitted into the category for float base facilities at the expense of the federal government and if we want to go that fary with six to eight helicopters working out of there daily we could have gone for a heliport. There is a clear cut policy and it may be found right here in the building without too much difficulty. Is there anything further on this sessional paper? May I proceed to the next item. The next item will be Sessional Paper #27 - Motion #7, Acquisition B. C. Pan Handle.

SESSIUMI PAPER #27

Mr. Watt: Mr. Chairman, I would like to say that this is the most satisfactory answer that I have ever received or that Council has ever received on the subject of access to tidewater. I will be anxiously awaiting the announcement as to where this tidewater access will be. Thank you very much.

TIDEWATER ACCESS

Mr. Taylor: Mr. Boyd will you please take the chair. In respect to this Sessional Paper, I would just like to say Mr. Chairman that any inference of Canada by any means fair or foul in attempt to acquire any portion of the Alaskan Territory is really a slap in the face to any true United States citizen and resident of the Territory of Alaska. It

Mr. Taylor continues..... is a direct insult, I think, to their intelligence. Any suggestion that they alienate any portion of the Territory is the same thing. We are faced with a bad problem and that is the problem of tidewater access. I don't feel that this is an approach at all. I think this is the negative approach. We have been through Skagway and Haines during the month of April, during the Easter holidays, and we met with some of the people of the pan handle and discussed this problem at some length and it seems to me only intelligent approach to this problem of tidal access is not in the acquisition of the B. C. Pan Handle, not the corridor, is a proposal whereby out of the ports of Haines, Skagway, Haines, possilly Juneau, and possibly Valdez, that we make application to the American Government and the State of Alaska to lease certain parcels of land near these four points which we may lease on a renewable basis upon which we can put Canadian seaport facilities, docking facilities and in effect use as Canadian seaports. I think this is negotiable, this is sensible for the export of our products. We can utilize the Haines-Skagway, possibly Valdez routes for the export of our products. This is sensible and negotiable and any suggestion that we alienate or suggest taking away anything from Alaska is sheer folly in my opinion.

Mr. Boyd: It seems to me there has been recommendations if I recall by committees doing a study on the Yukon concerning this Pan Handle and when we have another study it will merely be a duplication of what is already known and what is written. We expect to have somebody appointed by the end of the year and another year will go by and by the time it takes for the study another year will go by when everything is already known. It is down in black and white on the map. I think it is quite simple, I think Ottawa should be urged, or the powers that be should be urged to sit down and start doing some business. We have been talking about this for five years and this is puppy talk as far as I am concerned. Unless somebody is willing to come to this table or any other table, Ottawa, , let's meet somebody and let's do something. Everything we are going to find out now that is indicated on that paper is already known as far as I am concerned. Those that don't know about it, we can certainly tell them around this table in about five minutes and give them all the information they need. It is getting to be a racket, this excuse that I will give it a study or take a look. This is a good way to stall things for years. They never say I am with you and we will do it. Never. I think it is time we got down to this case somewhere along the line because we could have nothing but studies going on forever. The country is full of them today, some of them processed and some of them coming.

Mr. Taylor: Mr. Southam will you take the chair. Mr. Chairman, in this respect of what was said it might be worthy to note that the B. C. government are reluctant to give us access to tidewater. As a result of the whole summer's contracting season on what we call the Stewart road which will give us one road to a Canadian seaport five miles of road were completed. That road is not intended to be completed, that is extremely obvious, as long as they can delay it. The Skagway road, we have talked about that road for year after year after year. The good people of Skagway and the American government have attempted to build a road towards the Canadian boundary and all members have seen this road last Epring. They are prepared to continue this to our boundary at a cost of as high as one million dollars a mile. Now this has gone on for years and it is apparent that somebody doesn't want to get

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Mr. Taylor continues......

that road built. Everytime that the heat gets on then a study has to be made. As Councillor Boyd has pointed out it is quite apparent that somebody doesn't want this road built. Number three is that our very own Minister of Northern Affairs doesn't want this road built in my opinion because when we talked about tidal access and roads to the sea he said that the time is not ready yet that we must improve further our relations with the people of Alaska. No matter which way you turn every effort we make to cope with this problem is thwarted by some government or another and I think this should be borne in mind while discussing this Pan Handle and I say if the federal government wishes to show faith with the people of the Yukon in this respect then I feel that they should show their faith by getting out now, today, tomorrow and doing something about getting our access to the sea.

Mr. Watt: I don't know what Mr. Taylor is getting at. First he complained for a long time when somebody was trying to do something and then he starts saying well they should have done something. Here Council has taken a stand and they are asking for something and Administration is saying okay we will put somebody on the job as soon as we possibly can. I appreciate their efforts. For the information of the Councillors here there has been a lot of this road built this summer. You can get within a hundred yards of the B. C. Border, in other words that is seventeen or eighteen miles, about 20% of the road that has to be built between here and Skagway. At Skagway they are contracting for 2½ miles so the gap is closing rapidly. I think that the efforts should be towards the closing of the gap. I think that progress is being made and I thank the Administration for their co-operation.

Mr. Shaw: Sometime this summer there was an announcement that a feasibility study would be taken on this road. I wonder about the progress in this matter and it would appear to me that the steps necessary to be taken on the study which is one step and then the next step to me would be to have the Secretary of State in Washington discuss this and the ways and means of getting, buying, begging, borrowing, or leasing a piece of ground in Skagway to construct ports. I wonder if Mr. Commissioner would have the knowledge at this time if the feasibility study has been completed or is the process at this time.

Mr. Commissioner: Considerable work has already been done on this. The situation is a kind of a combination of requiring access and likewise of the finding of the most economical and feasible route to take this road to tidewater and a private firm of consultants, I am sorry I do not have their name, I will get it for you right after lunch, has been retained by the federal government to make this study and is in connection with your total resource development situation here in the Yukon Territory. It is not strictly trying to see whether a road should be built from Carcross to Skagway or whether it should be built from Watson Lake to Stewart, or whether it should be built from Ross River down to Haines. It is a package deal, they are private consultants who have been retained by the federal government for this specific purpose and I will get you a statement from the department in Ottawa as to how far this study has gone and when you may expect to have a report on it. It is not about to be done, it is in the process of being done.

Mr. Taylor: There is a private enterprise study going on at the present time and is this the survey we speak of or is this a government study.

Mr. Commissioner: The one that I speak of Mr. Chairman is a government instituted survey. If there are other surveys going on this may well be Mr. Chairman and I am not aware of. The one I speak of is a publicly financed survey by the federal government as I mentioned to you yesterday, and has been answered in this Sessional Paper.

Mr. Boyd: Is this the consultant in the third paragraph? Are you saying now that this man is already employed and in operation.

Mr. Commissioner: To my knowledge that is correct. I will confirm this at lunchtime.

Mr. Boyd: This is dated November 7, yesterday, and today Mr. Smith is telling us this is already in existence. I was wondering if we were being misled.

Mr. Commissioner: I realize this is dated November 7, but it was the means of getting you the information. This is what I am here for, to get you up to date on the information they have available.

Mr. Taylor: Any further discussion of this paper gentlemen?

Mr. Watt: I understand that there is an engineering study on the Skagway road. Could we be advised on this.

Mr. Commissioner: If any of this information is available I am certain that the Minister would be happy to make it available to you.

Mr. Taylor: Anything further gentlemen? May I proceed tom Sessional Paper #28 - Highway Signs.

Mr. MacKinnon: Mr. Chairman I would just like to thank the Administration for the co-operation we got in regard to this motion.

Mr. Taylor: Gentlemen, this concludes the Sessional Papers at this time. I will call a short recess.

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SESSIONAL PAPER #28

Page 11. Tuesday, November 8, 1966 11:00 o'clock a.m.

Mr. Taylor: I will now call the committee back to order. Mr. Commissioner has the five year agreement. Proceed, Mr. Commissioner.

MR. SMITH: During the week I was going to give dates -- I'm Five-year sorry I don't have them on hand -- but approximately the last Agreement week in October I spent in Ottawa I sat in on a goodly portion of that week on committee studies of the five-year agreement. Mr. MacKenzie was in constant attendance, and we also had Mr. Thompson on one particular day when an item concerning school buildings were discussed. This five-year agreement has been done, initially, by our department people here and was effectively turned down or turned back in its total by our federal counterparts. It was redone again and this was gone over and it is now in the present form. It was done over item by item with various essential federal people and is now back here for its third consolidation or rehashing-redoing before it goes before the Treasury Board. During the discussions I had there a Treasury Board man was constantly in attendance. I think it would be a reasonable assumtion that what Mr. MacKenzie has here now is going to go before the Treasury Board with the blessing or approval of the man who sat on these discussions. Mr. MacKenzie advises me that he has approximately two weeks of clerical work to do before he will have this ready to go before the Board, the Treasury I have taken this up with the deputy minister and the decision is that we want to have your wish on this, as to whether you wish to go to Ottawa as per your initial understanding on approximately -- on the 23rd of the month, with the knowledge that this presentation will not at that time be completer than past Treasury. Or, if you prefer, if your personal time would permit, set a date later on at which time you will be assured of your agreement having the -- having found your Treasury Board's approval, and will be able to go over it in Ottawa with the department people concerned knowing that what you are going over is a complete document.

Mr. Taylor: Mr. Chairman, this gives rise to another question. I have been there a couple of times. They say when this document is complete and has received the Treasury Board's approval— does this mean that regardless of what Council feels there can be no additions, and all we will get is explanations? Or, will we have opportunity to alter or see that document altered?

Mr. Smith: I will put it to you this way, Mr. Chairman, I don't think that you will be beyond a point of getting the document altered. I think what the situation will be is that you will see what the Treasury Board feels in the light of such information as has been provided them. They will be prepared to work with you during the next five years. You will have the opportunity to explore different approaches as to how you may accomplish the same thing. A further opportunity at the ministerial level to press for things which the Treasury Board in their present wisdom have not seen fit to go over. It is a matter that the Minister is anxious to explore fully with everyone concerned,

Mr. Taylor: Mr. Chairman, this being the case it would seem there should be some postponement of this matter. At present it is not known how much later -- it would be or should be hoped it can be done before Christmas.

Fiveyear Agreement

Mr. Boyd: The thing that strikes me-- it seems we are being asked, or there is a suggestion that we postpone or wait to discuss this thing until the amount of moneys that will be available or ablotted for a five-year period has been established, that is by the administration in Ottawa, and any dealings or bickering we could do would be within the orbit of the amount of money the Treasury agrees to. There would be no such thing as coming along and saying "sorry, but I can point out a mistake here that just cannot exist. You just have to change this". In effect I cannot see how anybody can do this. Is this what it means? We are bound within an orbit of a certain amount of money that is already established.

Mr. Smith: Mr. Chairman, if I may answer Mr. Boyd's question on this point. This is a set of guide lines and I think you will find that the Minister's approach is that while these guide lines are the very best that everyone could try to foresee, they are not so rigid as to prevent changes that come up on the basis of actual facts. In other words it is only inflexible to the point where the thing could be shown to the contrary. It is probable also, gentlemen, that the document which you accepted is the document passed by Council.

Mr. Watt: Mr. Chairman, that would leave us in the position where we have the guide lines laid out to us before we actually discuss the document. We have a framework within which our budget is and where the guide lines are laid out. There would not be much left for us to do except to work within this framework— within the framework of the guide lines already laid out. Some principle that is involved could change the economic picture quite a bit and then it would be too late to present our views on it.

Mr. Smith: Mr. Chairman, It is not the Minister's intention that this things should be locked so tight so as to prevent any flexibility that would be needed to make economic changes warranted.

Mr. Watt: As an example of the type of thing I mean-- I think my opinion, and Council may not agree with me, but I think the federal government are taking some responsibility. Those that are not being accepted would not be needed. This could involve quite a few millions of dollars. It is not the detail but it is the principle that is involved. If the principle is already established we would be out of our jurisdiction even discussing it.

Mr. Smith: Mr. Chairman, this is precisely why you are requested to come to Ottawa to discuss this situation, this point that Mr. Watt has brought up.

Mr. Shaw: Mr. Chairman, five years is an awfully long time to have to look ahead in this day and age. The way the inflationary trend is getting hold on Canada and as far as Yukon is concerned, appears to be economically unstable. Mines projects can get started up today and can be closed down tomorrow. To look five years ahead is a pretty big undertaking. In fact I would say it is an impossible undertaking. You cannot say what is ahead six months except any normal operational expenditures. I was sort of wondering if consideration has been given or has the philosophy been put forth to our government that possibly this is too long a period and possibly it should be a shorter term agreement. It would appear to me that what happens in the next five years this agreement will be controlled, you may say-- perhaps that is the word, by inter-departmental philosophy, or agreement on the areas of responsibility

such as "we will handle our own school system under so much to the federal government. We will do this and if there is going to be a change we will try and make the changes." I wonder if there is any departmental recommendations that will alter anything substantially anything we have now except the amount of financial support.

Mr. Smith: Mr. Chairman, I would assume now that what the--what Mr. Speaker is asking here is this: is there any basic change in engineering agreement or educational agreement and so on. To my knowledge there is no basic philosophy changes in this agreement. What has been said, Mr. Chairman, until now concerning the allocating of expenses, etc. over the five year period is very very difficult to analyze in Ottawa just as it is here in Yukon. It is not different. I would say that what Mr. MacKenzie suggests is indicated during the year 1962 to 1967 we required eighteen and a half million dollars from the federal government; in the next five-year period we are estimating a requisition of sixty two million dollars. This is why the Treasury Board's approval is required before you start discussing any points -- no point in discussing something which would not be accepted by that portion of the government required to distribute or dispense the total funds of the Crown in Canada. The value of going to Ottawa to discuss you should not underestimate this at all. It is absolutely vital that you as elective people go and speak with the department heads and such people as the Minister designates It is important that you go and find what is presently acceptable to the Treasury Board and explore fully philosophies or areas of change. I think it is absolutely vital that you make this representation and you make it as elected people. I don't think for one moment you should underestimate the value to see for yourselves -- to see what transpires and you should let the Minister and the department heads at Ottawa know what you are thinking .

Mr. Thompson: Mr. Chairman, I wish the Commissioner would correct me if I have got this wrong, but my impression-- I understood you to say that the Territorial Treasurer has been to Ottawa and has sat with the Treasury Board.

Mr. Smith: No, with the inter-departmental committee.

Mr. Thompson: Oh, but you did say there was a member of the Treasury Board on this so that you feel the changes that have been made now were made with the approval of the Treasury Board when it goes back or no?

Mr. Smith: Mr. Chairman, I would not say that the Treasury Board would approve this. I would say they have the approbation of the Treasury Board's representative on the inter-departmental committee. In other words the man who sat in on this is prepared to testify or back up the situation now as Mr. MacKenzie is now outlining.

Mr. Thompson: Mr. Chairman, another thing-- you mentioned a period of two weeks and two weeks tomorrow is the proposed date that we should be in Ottawa. I wonder how much more time the Administration would want in this particular instance. You mentioned two weeks and it is two weeks tomorrow. Is there any possibility of some midnight oil could burn to have this available? It puts us in the light where this thing could not be discussed here before we go east. By the same token even a week here given some of the necessary background figures we could conceivably spend some time on it.

I have no immediate information as to how much. longer -- I have no knowledge how much more time it will take to get you the perfected document. I can try and secure that information for you. My representation here is made after discussion with the Deputy. I did point out to him I could see no way in the world this could be ready by the 23rd-- is that correct, the 23rd-- that you are to be in Ottawa? He consulted with his people and he came back with the same situation. He agreed on this. I asked him for his suggestion in the light of the fact that you men as individuals have your own private affairs to take care of. His intimation was that if the Councillors wish to come at the time, the date we have set, we will be happy to have them here and we will do our utmost to discuss intelligently with them the situation with them at that time. I pointed out that I should give them an alternative if they wish to see a perfected document and his suggestion at that point was that possibly right after the New Year or early in the New Year would be the best situation at that point. If you would like me to investigate, Mr. Chairman, something beyond the 23rd of this month and not extending beyond the lst of the year I will try to get this information just as soon as possible.

Mr. Taylor: Mr. Chairman, it seems to me if the document is not ready we could give an ultimate date as to when it should be ready and possibly a communication could be forwarded to Ottawa from this Administration to determine when this document would be ready, at which time we could make a decision respecting our trip there. My only other comment was that I agree that anything we can possibly do on behalf of the people in this territory in respect to this agreement I feel we should do it and I feel we should be given the opportunity to do it. In the past in the preparation of five-year fiscal agreements we had very little part to play in it. Actually we never seen them until such a time as they were cut and dried in Ottawa, and by the time the people and the people's representatives at this Council table had opportunity to see this document and to try and affect a change in it -- well, it is too late. We just say "really we don't know why we are talking about this document for because this is the way it is going to be and that is it." Some two years ago I started harping on the subject. I felt that a small committee of Council should stay with it through to its finish. This was turned down. The Commissioner didn't think this was a good idea at all. Of course, here in Council we sloughed off the thing a couple of times because everybody wanted to get home. The sessions were dragging on. So it never got discussed there and now, as I say, we are going to be four months prior to the acceptance of this thing considering the period of time--I don't fully agree -- but I think the next time we should take part in programming this thing from its start to its finish. The other point I am curious about is the suggestion made by Councillor Shaw that Ottawa may wish to reduce this from a five-year period to a lesser period, say two or three years. I am wondering, Mr. Commissioner, if you feel that Ottawa would be receptive to this suggestion?

Mr. Smith: Mr. Chairman, I cannot say whether they would be receptive but I can say this: that it has been one of their thoughts, Mr. Chairman. And, the thing that brings this up is not only the fantastic spread when you start with a twenty five thousand dollar program today and you add inflationary factors over five years this becomes ninety thousand dollar program. This thought has certainly arisen. And, you must remember this, gentlemen, in the document that you finally accept this agreement under a review period, a mandatory re-

view period, say a thirty-month level, would certainly, I am quite confident, would be a very good proposal to make to the federal administration. So that if something did happen to make your agreement untenable and impossible to live with there would be a point in there where everyone knows that in the five years it will come up to take a hard look at it.

Mr. Taylor: Mr. Chairman, I would like to say that in the formulation of the last or the current agreement we asked for this safety valve, shall we say, or whatever you wish to call it -- a little door we could sneak out of once in a while and renegotiate this agreement, and they said "no". Of course, it has since been shown that many projects in the Territories were not forecast in the agreement. Some were forecast, I might say, by this Council and individual councillors in the room and Ottawa said "oh no, you are crazy", and they would not listen. So somewhere in this agreement there has to be an escape hatch. We are kind of new in respect to some of these things and everytime we asked to participate in federalprovincial conferences as observers to gain experience in these matters we were flatly refused. They said "no, you can't come up here", and so on. But if, as you say, this document can be ready early in the year, then I feel by all means we should go down and discuss it. But on the other hand it seems no matter what we do or say cannot effect any changes in the agreement then there is no point to it.

Mr. Southam: At this point could you please take the chair Mr. Taylor, and would you please excuse Councillors, MacKinnon, Watt and myself so we could take the trip to the mines.

At this point Councillors, Southam, Watt and Mackinnon take leave of Council Room. Mr. Taylor takes the Chair.

Mr. Smith: Are any of these gentlemen on the Advisory Committee?

Mr. Southam: Yes, sir.

Mr. Smith: I just want to ask a question before you leave. Did not your Financial Advisory Committee have an apportunity to go over the presentation that Mr. MacKenzie made here approximately two weeks ago.

(Members answer in the negative)

Mr. Smith: This was the current fiscal affairs that you were agreeable with at that time?

(members answer in the affirmative)

 $\mbox{Mr. Southam, Mr. Mackinnon and Mr. Watt leave the Council Room.$

Mr. Shaw: In this particular matter you just brought out I have been through one of these affairs before—financial agreements and—it is a very difficult subject to to go through, and what makes it more difficult, Mr. Chairman, is the fact that in the normal course of council business you the five—year agreement injected into the program. Now, I found by experience, and many other members likewise, in going through this agreement you go through this agreement this afternoon, for example, then tomorrow you would be on something entirely different. You would be on airports or some part of liquor

ordinance, or some part of motor vehicle ordinance. In other words you are just jumping from this subject to that subject with the result that I personally became most confused on the issue. You could not get down to the issue for a certain period of time before you were on to something else, and believe me, from my personal experience, when you are on the five-year agreement that should be full time and nothing else should be discussed except that particular subject. it is too important to be jumping around on. At the present time it is stated that the Territorial Treasurer will take two weeks to present his new formula. That will be sent to Ottawa and no doubt the Treasury Board or the Northern Affairs Board, or what have you, it will take them some time to digest this and then to forward it to the Treasury Board. The Treasury Board have made commitments in relation to running the affairs of all of Canada, particularly with this new three hundred and fifty million dollars that they have to collect -somebody has to collect to pay for these things, they are going to be up to their ears, and a small matter of sixty million dollars could get shelved until maybe a few days before Christmas or perhaps after Christmas. It does appear to me, Mr. Chairman, that the initial proposal or the agenda as was outlined to us to go under this agreement, under this proposal or agenda it will not serve a useful purpose for the simple reason that it must be presented to the Treasury Board first before we can work out the minor details of this. appears that this -- the Northern Affairs, the amount of eighteen to sixty two million, it appears they have gone for the works. And, unless resolved by all concerned I am afraid we could not serve any particular useful purpose, except a part of it. We could not complete it. I am merely making this as a suggestion. There is no reason why it cannot be done. I make this suggestion that we take this agenda of going to Ottawa and shelve that for December; that we pay attention to our normal business that we have here and then some time in the early part of January after this report from the Territorial Treasurer has received the approbation of the Northern Affairs Department, and then in turn the Treasury Department; that the Commissioner call a Council session for the early part of January for us to be here and to study nothing, and I say nothing, Mr. Chairman, no legislation whatsoever except this five-year agreement for the required number of days and from that time then go to Ottawa and iron out or endeavor to iron out any difficulties or proposals -- submitting any proposals we may have. In that way we could give better attention to it. It is a subject that requires it. It requires absolute concentration without any ancilliary matters coming in, and in that way it would produce the best results. Now, that proposal, in view of the discussions that have gone on that would be quite worthy of consideration.

Mr. Taylor: I just wanted to say that we do have another problem. First of all before we make any decision I think we should find out when this document will be ready. If it is ready in December, then let us get with it in December if we can. I cite the case that individual members, particularly in outlying districts and also in this area do have a living to make in order that they may carry on with this work and their business, and it prohibits us, certain people like myself to go into the mountains or embark on anything during the winter months. We are quite prepared to come but I say this is an additional sacrifice on the part of individual members to come to Council every

three weeks or a month.

Mr. Shaw: This matter of sacrificing and what not of individual members depends on what you are sacrificing and what you are doing and this kind of stuff but it does appear to me, Mr. Chairman, the way the situation has been explained to me that this is going to be very difficult to finalize this. It is going to be difficult, if not impossible before Christmas. I cannot see at this stage of the game— it will take two weeks— two weeks for the Territorial Treasury Department to get this complete. How long will it take the Treasury Board, the Northern Affairs? Then it has— the Treasurer has to go over it. I was wondering, Mr. Chairman, if the Commissioner would feel, from the administrative point of view, whether the proposals I have made would work in and perhaps expedite the matter.

Mr. Smith: Mr. Chairman, I would be quite prepared to determine the-- when this thing, conceivably, could be ready at the very earliest possible date. This I would be quite prepared to do. I would say further to this that speaking from local administrative point of view that if Council felt in their wisdom that they could leave this off until the 1st part of the year I think they would be very much happier with what they would have put before them, than if they tried to do the thing with an imperfect document. Mr. Chairman, I would be very happy to get as accurate dates and information relative to the completion of this as possible and give it to you very promptly.

Mr. Boyd: The situation is very clear. Mr. MacKenzie from our office is going to take two weeks and then we are into Christmas by and large. You don't expect very much to happen with Ottawa businesswise during Christmas and New Year. It would be sheer folly to go down there with something up in the air so far as it is at the moment. I would move that MOTION RE this trip be delayed until January possibly, and that we OTTAWA follow the suggestion made by Mr. Shaw that this Council TRIP convene in January and discuss nothing but this five-year plan.

Mr. Shaw: Mr. Chairman, I am afraid, although I agree, I cannot second that motion. We are missing some of the Council men and it obviously requires all for this discussion. I think we could discuss this at a later date and have the Commissioner supply us with some information, more definite information in the next day or two. It appears we must do it fairly soon because the reservations are made and these would have to be cancelled and so on. I feel this is something we must have all Council members present, although it seems like the best answer.

Mr. Boyd: Mr. Chairman, I would suggest that we recess until 2:00 o'clock this afternoon.

Mr. Taylor: Do you gentlemen wish to continue this discussion at this time?

Mr. Boyd: I would say lets conclude.

Mr. Taylor: Agreed?

AGREED.

Mr. Taylor: Gentlemen, with your concurrence I will adjourn this meeting until 2:00 o'clock this afternoon.

Tuesday, November 8, 1966. 2:00 p.m.

Mr. Chairman: We will call the Committee back to order at SESSIONAL this time. We have been discussing the matter of the pro- PAPER #25 posed trip to Ottawa in relation to the furthering of discussion on the Five Year Fiscal Agreement.

Mr. Clerk: Incidentally, Mr. Chairman, that is on your Sessional Paper No. 25 which is attached to the memorandum I gave you at noon.

Mr. Chairman: Would you continue, gentlemen.

Mr. Boyd: Well, Mr. Chairman, I think we are still missing one Councillor, however, I thought that those of us present at noon had about concluded it would be folly to go to Ottawa on the 21st or 23rd of November and that rather it should be postponed in view of work to be done yet on the Agreement... postponed in view of work to be done yet on the Agreement... postponed until a later day in January. I made a Motion which was not seconded on account of Councillors not being present. Unless Councillor MacKinnon has something to say, we should proceed from there I would think.

Mr. MacKinnon: Yes, Mr. Chairman, that is in agreement with me and I feel quite safe in saying Mr. Watt feels the same. We could well leave this until after the New Year.

Mr. Southam: Mr. Chairman, regarding the Five Year Agreement, my opinion is that if the thing is not ready for ratification or for discussion at this present time, it would be a lot better if it was laid over and I am quite in agreement too, and I would suggest...I don't know what the Motion was...but I think we should take into consideration that Councillor Thompson is contemplating a trip to Australia, I believe, or some place over the holidays and I don't know how long he intends to be away...I understand it's a month or maybe it's more and I would think that we should certainly take into consideration to go down sometime after his return so that we will be there as a body. For my own part, I am quite in agreement to go at any time because I am quite free after the first of the year.

Mr. Shaw: Mr. Chairman, there is a point here. There was no Motion made. It was merely a suggestion at the time. The Motion was not called at the time on account of the absence of a large portion of the Council. Since that time, I am of the understanding that Councillor Thompson will be away for a certain portion of January and I think we should do our utmost to try and fit in everything, and certainly we will require Councillor Thompson's knowledge and advice in this matter. It is very important and I would like to ask at this time - if we set this thing up tentatively you might say for, we shall say, the fifteenth of January, would that fit in, generally speaking, with most Members or any Member's wishes in the matter? I believe Councillor Thompson did indicate he would be back on the fifteenth of January.

Mr. Southam takes the Chair.

Mr. Taylor: Mr. Chairman, just in respect of the remarks of the Honourable Member from Dawson...as far as I am concerned, if we sit in January, this means that my entire January program...just as Councillor Thompson has programmed something...is completely shot....because my first duty is to Council. I would suggest that rather than fixing a date it would be more wise to let Ottawa let us know when they could receive us and leave this thing kind of open. We are going to be in Session here for some time yet. No doubt Administration could, prior to the close of the Session, determine just what date Ottawa would be ready for us and rather than confuse the issue and say to Ottawa....rather than we specify the date. I would suggest that this matter be left open until later on in the Session when we may have further information on this matter.

Mr. Shaw: Mr. Chairman, I did ask a question, perhaps indirectly, of Mr. Thompson, and I would like to know if that would fit in with his plans.

Mr. Thompson: Mr. Chairman, thank you for your consideration. The Commissioner was going to ascertain from Mr. MacKenzie, I believe, just when the proposed redrawing of this Five Year Agreement could be possibly discussed. Yes, I had tentatively hoped to be away Christmas and New Years but the fifteenth of January is a reasonable date for my return.

Commissioner Smith: Mr. Chairman, I have been in consultation with Mr. MacKenzie and his thinking is that early January would be the soonest that this matter will be at its reasonably completed stage and have approval in principle so he feels that the proposed Councillors' visit to Ottawa should definitely be after the first of the year. If Council could give me some direction, I would be very happy to communicate this to Mr. Cote, the Deputy Minister, and ask him to confirm suitable dates in January in line with Councillors' thinking so that I would be able to give you this information during the time of this Session. I would be very happy to do this. It would be my understanding, gentlemen, that you would wish me to call Council into Session.... I will simply throw these dates out... say call a Council Session for a Monday with the thought in mind that we would work here together on Tuesday, Wednesday, Thursday, Friday, depart for Ottawa on the Saturday....is this Council's thinking? I merely ask this, gentlemen. am not trying to put any thoughts into your mind at all but I am just trying to get what your thinking is.

Mr. Shaw: Mr. Chairman, that would be my thinking so that we could familiarize ourselves with the facets of this so that when we went down there, the problems that we have...we would know just what they were, and those that look fine, we won't have to bother with them.

Mr. Taylor: Mr. Chairman, I am in agreement with anything you wish to come up with. I was just saying I would rather not see a Motion setting a hard date until we can determine what best fits Ottawa.

Mr. MacKinnon: Yes, Mr. Chairman, I am in agreement with that. I feel that we should be brought up to date on the Five Year Agreement before we go to Ottawa. Maybe two or three days would be plenty.

Mr. Taylor resumes the Chair.

Mr. Southam: Mr. Chairman, I have no further remarks. I am SESSIONAL quite in agreeable with anything that is in the majority. I PAPER #25 will go along with it.

Commissioner Smith: Well, Mr. Chairman, could I take it from your discussions then that you would like me to communicate with the Deputy Minister, have him set a date in January in line with what we have spoken of here now with the thought in mind that Council would be called into Session to have at least four days of discussion before we departed from here and once we have firmed that up, then that would be your prerogative, gentlemen, to put it in a form of a Motion for your own records? Is this my understanding of this?

Mr. Shaw: Mr. Chairman, we would naturally have to get together on these days. We can't set anything firm on this because we don't know when this other thing will be completed. We are approving something, I think, more or less in principle. we take a certain line of action...and I think that is fine with me anyway.

Mr. Boyd: Mr. Chairman, I would like to hear from Mr. Thompson. Now we are running into what I thought...the position I thought would be that we would probably wind up in Ottawa say on the fifteenth where Mr. Thompson could be as I understand his remarks, but now we're going to have a week ahead of this in Council here. It may mean that we might have to suggest to Mr. Cote the 23rd of January or something like this and I think it all hinges on Mr. Thompson. I wish he'd make himself quite clear as to what his position is. (Mr. Southam takes the Chair)

Mr. Taylor: Well, gentlemen, would it not be easier to try and determine what dates are available and continue this discussion as per Mr. Commissioner's suggestion.

Mr. Boyd: Mr. Commissioner has suggested that he is going to contact Mr. Cote in line with our suggestions as to dates available that we prefer and I think our dates hinge principally on Mr. Thompson's position.

Mr. Thompson: Well, Mr. Chairman, tentatively I am due back on the Saturday and that's the Saturday prior to the 16th which would be the 14th of January so that would be the earliest date that I could be here but then this doesn't preclude the fact that you could sit earlier and discuss this if you so wished.

Mr. Chairman: Are you gentlemen agreed with the Commissioner's suggestion?

All: Agreed.

Mr. Chairman: Gentlemen, this concludes discussion on the Five Year Fiscal arrangement at this time. We now have no further items before us other than one Bill for which I believe we require the services of the Legal Advisor. I would suggest to you that possibly you may wish to revert to Council so that other Sessional Papers could be introduced.

Commissioner Smith: Mr. Chairman, could I ask if this is any time that I could give you some answers to questions that you asked me earlier this morning? Is this satisfactory?

All: Agreed.

Commissioner Smith: Gentlemen, I was asked concerning policy as to where the Department of Transport takes on or leaves off insofar as airports are concerned and these two booklets were provided for me...I believe there are more copies available and I have asked Administration to see that all Councillors are provided with copies of these. I believe their policy is outlined in a table at the back of these booklets that shows where they are prepared to undertake and not undertake airport maintenance and construction. Is that a satisfactory answer, Mr. Chairman?

Mr. Shaw: Mr. Chairman, I wish to apologize to this Committee insofar as the Administration sent me both these copies. I received them just a little bit prior to when I came to Council and I had so much correspondence and booklets coming to me that I'm afraid that I wasn't able to read them all and that is one of those that I was not able to read...so I have a copy of this and as I say, I wish to extend my apologies to this a Committee for having brought up a matter with which I should have been conversant in the first place.

Commissioner Smith: May I proceed from here, gentlemen?

All: Proceed. The state of the process of the state of th

Commissioner Smith: Concerning new proposals on an airport terminal facility, we have checked Central Registry, the Engineering Department and the Administrative staff and we are not aware of any new proposals concerning the Whitehorse airport. We have no information here in the building. We have no information at all. The next question if I may, Mr. Chairman, you asked to get more information concerning the road investigation here between Skagway and Carcross and also the name of the private consulting firm. We telephoned to Ottawa and this is to be a subject of a telex that I have asked the people in my office to bring down here to the Council Chambers as soon as it is delivered here. It should be here in the course of the afternoon, giving me this information that you requested. Also, there is some background information coming as well. I don't know whether we will have it today or not but the Minister is sending along information in connection with the Department of Public Works! work in this particular instance. As soon as they arrive, I will bring them to Council. I don't think there is anything else in particular that you had asked me that I can pass along this afternoon.

Mr. Shaw: I just have one comment, Mr. Chairman. I am just overwhelmed by the rapidity of the answers given to the questions. This is unprecedented in the years I have spent in Council - to get the answers the same week much less the same day a couple of hours later. It is most appreciated.

Mr. Chairman: What is your further pleasure, gentlemen?

Moved by Councillor Boyd, seconded by Councillor Southam, that Mr. Speaker do resume the Chair and hear the report of the Chairman of Committees.

MOTION CARRIED

MOTION CARRIED

States & Comment

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 10:15 this REPORT OF morning and discussed Bills, Memoranda and Sessional Papers CHAIRMAN OF with Mr. Commissioner in attendance. The Committee then discussed matters related to the new Five Year Agreement. Committee recessed at 11:30 A.M. and reconvened at 2:00 P.M. with the discussion respecting the new Five Year Fiscal Agreement with Mr. Commissioner present. Moved by Councillor Boyd, seconded by Councillor Southam, that Mr. Speaker do resume the Chair and hear the Report of Committees and this Motion carried.

Mr. Speaker: Thank you, Mr. Taylor. Are you agreed with the Chairman's Report?

All: Agreed.

Mr. Speaker: This morning when we started business, the Clerk informed this Council that there were other papers coming along that he would have in a very short space of time. I believe that he now has those Sessional Papers.

Mr. Clerk: Yes, Mr. Speaker, I have tabled Sessional Papers Nos. 1 to 23 which were all the memoranda forwarded to Council since the last Session, also Sessional Paper
No. 24 which is the Commissioner's Opening Address and also Sessional Paper No. 25 which is the letter from the Commissioner on the Five Year Agreement which you have already discussed with the Commissioner.

SESSIONAL PAPERS #24

Mr. Speaker: Thank you, Mr. Clerk. Well, gentlemen, we. have a lot to occupy ourselves with at the present moment. What is your pleasure?

Moved by Councillor Taylor, 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 and Sessional Papers.

MOTION

MOTION CARRIED

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

Mr. Taylor: A brief recess, gentlemen, while you get your papers in order.

Mr. Chairman: At this time, I will call the Committee back to order. We are discussing Sessional Papers and we will begin with Sessional Paper No. 1 addressed to Mr. Speaker, P Members of Council, re Motion No. 47 - Air Strip. (Reads Sessional Paper No. 1). Is there any discussion on this item, gentlemen?

All: Clear.

SESSIONAL PAPER #2

Mr. Chairman: Next is Sessional Paper No. 2, Motion 40. (Reads Sessional Paper No. 2).

Mr. Shaw: All I can do is comment on this. In the first place, the raise in salary in which this Bill C-147 was so important in this letter, to me, and I think to many Members of Council, was nothing because as far as the raise is concerned, it is actually in fact very little of a raise. It amounts to very much the same thing as what is in existence right now except that it goes about it in a different manner. I am just sorry that we are classified in the same category

SESSIONAL Mr. Shaw continues:

Comment of Con-

PAPER # 2 again as the Northwest Territories. We will see what happens in the Northwest Territories before we can see what can happen in this Territory. I am not too well conversant with actual experience in the Northwest Territories but by reading I find that it is an entirely different situation to what exists in the Yukon Territory entirely different. They have different problems. It is something that has actually....the progress hasn't taken place there industrially in the same manner as it has here and likewise the population is scattered over a much vaster area and do present entirely different problems, and the fact that they had a Commission look into this may be most commendable. I agree, but when you lump this Territory with the Northwest Territories, you have a horse of an entirely different colour. We have, which is another difference, we have proposed specific actions that we would like taken. can quite understand that from being on the other side of the fence...I should say the matter of Federal versus Territorial.. that you may take a different approach to the matter as to what is undertaken in Motion No. 40. I cannot see why we have to have somebody from outside, and I say outside, to tell us what we want, that a Commission should come up here from gosh knows where and say, "Well, now, boys, we feel that you should have this or you should have that". We are making the proposal and, of course, the old saying is, "Well, let's hear what you have to say. I'll go for it or I don't".... well, that's what's happened here. Somebody doesn't. In lieu of that though, instead of possibly having some more concrete proposals with say a more constructive answer.... "I don't agree with this part or I don't agree with that part" .. perhaps this would go. We have the story of a Commission or a Committee being formed....first an economic study and then, of course, another Commission to indicate a political study. I do not feel that at this stage of the game we can balance off reform in Government against dollars and cents although they certainly take effect in the matter of expenditures, but what is being said, apparently, is that "you have a deficit area and we will have to put in quite a number of dollars to keep your head above water and we are prepared to do this. This is for the good of Canada, but we do not think that you are qualified to manage this money. We want to make sure that we have complete control", and the results are that a Member of Council is able to come here and talk on these various matters. In fact a Councillor can introduce any Resolution that he can get the majority of Council to agree with. This lends itself to making suggestions and making resolutions without having the Administrative responsibility of carrying them out. I think that that is essentially wrong. I am very disappointed that this was not...that more action was not taken on this very important matter for the Yukon Territory.. that it was just shelved, "we can't do anything right now. We have to wait for this Committee and that Committee". I think, myself, that more construction action could have been taken. don't know just what action the people in Ottawa... I am not recommending what action they should take ... my action in agreeing to this Motion in the first instance was to take the action that is down here. If they don't agree with it, that is everyone's right and privilege. I do think that they could take parts of that and possibly come up with some interim solution instead of keeping the thing at the same status quo as what it has been for seventy years. To go further into this, Mr. Chairman, we have this Carrothers Report and they are talking about that in ten year's time the Northwest Territories will have this and they will have thatwell; that sounds somewhat facetious when you see that the Yukon Territory has The state of the s

Mr. Shaw continues: remained in exactly, or pretty well exactly, for all intents and purposes, for practical purposes, has remained in the same political stagnation you might say for ... what is it....sixty or seventy years. When we would be able to assume a more responsible position as representatives - that is the question. What yardstick can be used to say that you are able to do that? I think we can take precedents where other parts of Canada, other parts of this Nation, have taken on management of their own affairs in a much shakier condition than what we are, I think....with a much smaller population. We can take some of the Provinces right now in Canada that are also large deficit areas so far as the Federal Government is concerned. In fact I am of the understanding that there are only two Provinces in Canada, or maybe three Provinces, I think British Columbia, Alberta and Ontario, that are able to finance their own Government. I am most disappointed that there wasn't some more concrete action taken on it then just "No", or "We'll have an investigation gosh knows when". That's the way I feel about it, Mr. Chairman.

Mr. Southam takes the Chair.

100 (15)

Mr. Taylor: Mr. Chairman, I am sure you will all agree. For a long time I have sought an answer or attempted to put forth an answer to how we can get on our own feet. Now, we are continually reminded, as Councillor Shaw has pointed out, by the Federal Government that we are in fact a deficit area, and I just wonder, gentlemen, when you get right down to it, just how bad a deficit area we are when you consider that some of the Maritime Provinces are pretty highly subsidized too and yet they are Provinces and they can rule their own roost so to speak. If we be a deficit area, I say that we will remain a deficit area until such a time as we are given the opportunity to change this situation. Now, a lot has been said about studies. As far as I am concerned, sometimes studies are instituted with good purpose behind it, well motivated, but too often studies are instituted to delay or retard progress. Often when public outcry demands answers from Government, they form a Royal Commission. I think you might be interested, gentlemen, in an editorial clipping which I picked up in Vancouver. This is from the Vancouver Province, October 17, 1966, which states: "Professor A.W.R. Carrothers has made it at last. In 1960 the B.C. government swept under the carpet a report by a board of inquiry he headed on the bargaining rights of B.C. civil servants. hasn't been seen since. This time a new Carrothers' cat has been let out of the bag snarling, and some Canadians may wish the string had been kept tight. For the 1966 Carrothers' report, tabled in the Commons, puts Canada in the international dock for every Afro-Asian anti-colonial crusader to throw rotten eggs at. We are represented as an imperialist p power holding the indigenous peoples of the Northwest Territories in bondage. True, the Carrothers' commission proposes a legislative assembly, duly elected by the people, to sit in the Northwest's brand-new capital, Yellowknife. But this, as Delhi and Accra will quicky recognize, is an old colonial trick. How can there be freedom for the Northwest's 15,000 natives under the rule of a "commissioner" (frock-coat, cutlass and feathered hat?) whose signature must adorn the assembly's edicts? How can there be freedom when appointed whites are supposed to lead the indigenes "gradually" along freedom's path? Freedom - Now! That's Africa's cry. In the subject state, political inequality is to be matched by economic inequality. Prof. Carrothers says: "The gap between the PAPER #2

SESSIONAL Mr. Taylor continues: economic condition of the native and that of the white man may well be widening. The potential for serious political trouble is there, now". These are words that will be gravely measured by the UN committee on colonialism and snatched at by the Organization for African Unity. Perhaps only UDI will save the indigenous inhabitants of the Northwest. Is there an Eskimo Smith in the territory?" This, gentlemen, was an item I clipped out on October 17 in Vancouver and I think it somehow sets out the problem quite clearly and I think we are faced with it too. We have been told here, as Councillor Shaw has pointed out, that in order to further enhance the Council and to get more people to run for Council positions, they have upped the wages. Well, the wages haven't been upped and I think the public should be clearly made to understand that there has been no increase in wages to the Territorial Councillor because there hasn't. All they have done is shift the thing around in such a manner that we get \$5,000 instead of \$2,000 and they have deleted our per diem allowance and tax considerations mean that after paying all your bills and so forth at the end of the Council Session, you are in the same position that you were before and woe betide the poor Member who happens to make a fairly high income....or has a fairly high annual income to pay tax on, because when he throws the \$4,000 taxable portion of this in with his income tax, there's not going to be much left. I just want to say also that I am very extremely disappointed that the Council did not have an opportunity to go before or send representation before the Committee on Northern Affairs in Ottawa. These are the gentlemen that must go into these matters respecting us here in the North and I think it would have been a wonderful thing if we could have gone down and answered their questions and put forth our arguments and show just cause why we really should be on our way towards provincial autonomy. I think the program as outlined in the Motion was a sound one. Council agreed to this and I deplore the fact that it was not given the consideration that I feel it properly deserved in Ottawa and I just, quite honestly, don't know where we go from here, but I don't feel that any Member of Council should let up on this. I think we should keep hammering away because we are not going to build a Territory until we can offer the incentives that build population, to build the Territory economically to a point where it can govern its own affairs. If we sit here and wait for Ottawa to give us something...because Ottawa just don't give. We've got to fight for everything we get from Ottawa, and I don't know...possibly Mr. Commissioner could have some idea or may have learned something while in Ottawa as to whether or not in this Five Year Agreement there is anything...any programming at all...which would offer the Yukon a substantial amount of more autonomy. Now, this may well be. I haven't seen this Agreement. I mean that is a direction towards provincehood.. or whether they have supplanted another program in place of the one we've got here, but I deplore the fact that this wasn't given the consideration it was due.

> Mr. Boyd: Well, Mr. Chairman, what really surprises me most of the situation is that first of all Council did spend quite some time in coming up with what they thought was a reasonable stipend and so on, and the moment we made our points known to the then Commissioner, that is the last we have heard of this. Now, normally, if the price is too high, you come back and you try to put your point across and find out if there isn't another way around or what will satisfy or what will be sensible.

Mr. Boyd continues: SESSIONAL didn't happen. Now, I have heard Ottawa being accused PAPER #2 entirely for this situation. I am not quite prepared to go this far and I don't mean to be rude, but I would be very interested, personally, to know what measummendations our Commissioner made that we know nothing about. This is step number one in my language. If the Commissioner had come along and said, "You're right boys. "He will take your thing to Ottawa and see what we can do".....we have no assurance that this was ever done and I don't even know that the Commissioner agreed with our ideas. He certainly didn't give us any arguments or tell us that it wasn't so - that we were out of step. So, here is a case of where it leaves this table all sealed up in a bag like a little pussy cat that you're going to drop off the plane somewhere enroute and we come up with a sheet of paper like this after all is said and done. And, it is quite There is no raise when it's all added up and said and It doesn't create any incentive at all. Were they talking about giving Councillors a raise and making the situation or position more attractable to people with better brains if you want to use that word? Did they have this in mind? It doesn't appear that they did. It doesn't appear that way at all. It appears to me that all they did was do some finegaling to try and hoodwink something. Certainly they had no intentions of giving Councillors any more than they got, and if I were an outside Councillor having to pay my way in and out of here, my meals and everything, and pay income tax on that money, I'd be thinking twice before I would run again. I certainly would. And, I would like to know also if the Councillors who travel anywhere from 500 to 800 miles in the Northwest Territories get their travelling expenses paid. They do. So, what's wrong with this Council? There seems to be something missing. Lack of co-operation, lack of co-ordination, or lack of something, but certainly we have got nothing more than what we had

when we started except some paper and some time wasted.

Mr. Taylor: Mr. Chairman, there was just one other thing that I think one should bear in mind in discussing this subject and this has really been brought home to me. One is, first of all, the incompatibility of Northern Affairs as a Federal Department. I think I spoke of that last fall, and that is how can a Department of Administration in Ottawa step into a conference room one day and talk about the sterilization of the North...sterilization for tomorrow...and then walk into the same room the following day and look after the other half of its wares - stimulating development of the North. Both those projects are incompatible. I think you are all aware of that. The other was that there was an attitude in the Northern Affairs ... prevalent attitude in Northern Affairs some five, six or seven years ago, and this is at the Civil Service level - not at the political level - that the North should be developed to where it became self-sustaining and fully autonomous and should join the Confederation, that is the confederation of the Provinces of Canada...the Dominion of Canada. The attitude now appears to be to develop the Northern Territories...not necessarily to this fully autonomous state...but to the general benefit of all Canadians. In other words use the Northwest Territories and the Yukon Territory and the revenues therefrom to keep up our promises to the Provinces. Now, we asked for participation in the Federal-Provincial Conferences just so that we can find out what kind of a deal the Provinces make with the Federal Government in relation to all forms of Administrative work, that is I mean Welfare, and payments and Medicare, and all these other things and we always get a very rapid answer from Ottawa in respect of

SESSIONAL Mr. Taylor continues: PAPER #2 this and the answer i

this and the answer is a little two letter word, "NO". "Absolutely not"; and the more I see of this, the more I feel that the Federal Government do not wish the Yukon Territory to become autonomous. Industry - look what industry is doing in this Territory. Industry will develop this Territory as far as I am concerned in spite of Government. Now, I think we've got a pretty good Administration here in the Yukon. At least we can make decisions here, but everytime we have to depend on Ottawa to give us a decision, there is more running around from office to office and shelving and all this sort of thing and we cannot go too many years longer on this basis. This is a modern world and if we are to participate in what they call this affluent society, we'd better get after it ourselves and Ottawa have shown that in many respects they have not been able to cope with the problems of the Territory as the people of the Territory would wish to have them coped with and I think it's about time, after sixty years or so of self-rule shall we say, that they gave us a little more of the reins. I would like to direct a question, Mr. Chairman, to Mr. Commissioner. Is he aware of any changes in this Five Year Agreement which may offer more autonomy to the Yukon Territory, substantially.

Commissioner Smith: Mr. Chairman, I would answer this question and say this that I have not seen all aspects of the Five Year Financial Agreement - not through the fact that I cannot see them, Mr. Chairman, I simply have not had the opportunity or the time to look into it very carefully. However, something I would direct you to and that is to my Opening Address to you yesterday. I would tell you that everything that is said in this Opening Address, or should I say that most of the points that you have made, Mr. Chairman and the Members who have spoken here today, have been to a degree covered in the Opening Address that I made and this Opening Address, gentlemen, is the Minister of Northern Affairs and my own philosophy concerning what can be done in connection with getting more Government on the ground right here to you. You do not have, gentlemen, a deaf ear in your wishes in the Minister of Northern Affairs.

Mr. Taylor: Yes, Mr. Chairman, to some degree...I cite for instance in reference to this Opening Address where it stated that "responsibility for Crown Lands under the administration and control of the Commissioner has been transferred to the Supervisor of Lands, so that only one agency of the Yukon Administration is involved in the disposal of Crown Lands." Well, is not the Supervisor of Lands a Federal position and have we not made a retrogress step by turning Territorial control of lands back to the Federal Government?

Commissioner Smith: Mr. Chairman, this is quite correct that the man...the position involved...this is quite correct, but for that aspect of the position as carried on under this title, Supervisor of Lands, this gentleman is responsible to me...this position is responsible to me. You are quite correct...for the duties that are required, he is responsible to the Commissioner's office...and also you will see further what I have stated in the next paragraph. This is the Minister's very express wish.

Mr. Taylor: I have nothing further than this one comment, Mr. Chairman - as long as I am at this table, however long it may be, I am going to fight for autonomy until we get it on behalf of the people.

Mr. Taylor resumes the Chair.

SESSIONAL PAPER #2

Mr. Watt: Mr. Chairman, with respect to this Motion No. 40, I didn't vote for the Motion because I felt the Territory should have jurisdiction over mines and minerals and since this Motion has been put to Council and voted on, a couple of things have happened in the Territory with respect to mines and minerals that I am sure need to be helped now or would not have happened had we had jurisdiction over them. One is the assistance that we may be able to give, or at least look into, to assist Keno Hill to possibly keep open. I think the Territorial Government would be in a better position to do this than the Federal Government. I am sure that we would all be leaning over backwards trying to keep Keno Hill in operation if we possibly could. The second one was the new interpretation of the Placer Mining Act. Apparently every time we get a new member to an office here...a new man in an office...we've got the same old Placer Mining Act but perhaps he interprets it a little bit different than somebody else, and therefore the laws all change and this causes a lot of trouble. I think this would be better handled with more continuity, clearness and more reliability if this were in the hands of the Territorial Government..the Territorial Administration here. I can only say that I would gladly trade both Motion No. 40 and Bill C-147 for jurisdiction over mines and minerals in the Yukon Territory, let alone oil and gas and water. Mines and minerals is a must if we are ever going to become economically and politically independent or even close to it. Without that I think we will not get anywhere either economically or politically as far as independence from Ottawa is concerned. Just one small example would be that recently we have seen that Newfoundland are developing Churchill Falls. This is a northern area and the Minister of Northern Affairs was over in England trying to raise money from the Rothchilds or anybody else as was the Premier of the Province. We have nobody here that can go and say "We will give you a concession on a piece of land if you will spend two billion dollars which in effect is developing the area. We have nobody here that we can put in a position that can go and say, "You can develop the Dynasty area. invest so much money and we will give you a $concession^{tt}$, or something along that line, or build a railroad up to the Crest exploration area or the Frobisher project, the development of the water resources. We have nobody that is in a position to do this and Ottawa is so far away I don't believe they are interested. If we had somebody we could put in the position and we had jurisdiction over Mines and Minerals, Oil and Gas and Water, then we would be in a position to do the same thing that Bennett is doing with the development of Water Resources, as Thatcher has done with Potash in Saskatchewan, and Newfoundland is doing right now. The Yukon Territory and the Northwest Territories are not going to be able to do this. have nobody. The Commissioner is in a position but I don't think he is in quite that position right now....and no matter who the Commissioner was, I would certainly vote to give him that power if there was any way I could do it.

Mr. Chairman: Any further discussion on this paper, gentlemen?

Mr. Boyd: Mr. Chairman, I just want to make my point clear... talking about expenses...it seems that I was a bit off the beat but I am not off the beat so far. You get your mileage on here and you get your meals while you're on your way here, but you will stay at the hotel and you will eat and you will pay your own bills out of taxable money and if they are going to put up the argument that this \$1,000 is not tax exempt and is intended to cover that, that might be one point, but I think Councillors spend quite a lot of money one way or another that they wouldn't normally spend if they were not politicians.

Mr. Southam: Well, being from the outside, I heartily agree with Councillor Boyd because since I've been in Council I haven't got rich by any chance and I lose money every time I come down here. There's no doubt about it. As you remember, when we were talking about this Irishman's raise we got, I suggested a figure of \$8,500 and I think and I still think that that is the figure we should have got. In my opinion, this Council business is going to expand and you are going to have to spend more time in Council and on Council work and, therefore, I do not think that \$5,000 a year is sufficient. Also, as I mentioned at that particular time, if you are intending to upgrade your Council and by this I mean getting men of business ability...no matter where you get them...but you are not going to coax them into Council with a \$5,000 salary I don't care where you go because I know this...whether I was going to stay in the Territory or not, I certainly wouldn't run for Council next year for \$5,000. I can tell you that, and I'm positive I could get in because I have been asked. So, this is my feelings on this. We got a raise all right but it was in the wrong direction.

Mr. Chairman: Well, gentlemen, I think at this time we'll just call a short recess for a cup of tea.

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DISCUS-SION OF SESSIONAL PAPER #2

Mr. Chairman: Gentlemen we will now call the committee back to order. We were discussing Sessional Paper #2. Is there any further discussion.

Mr. Thompson: Mr. Chairman, I would just like to make one comment. Probably Mr. Commissioner can put me straight on this. This is dated prior to the Minister's visit to Whitehorse, and at that time he says "specifically I am not prepared to recommend to the House of Commons that this till be referred to a standing committee", or that any of these matters that we asked be acted upon and yet in Mr. Smith's opening remarks he states that we will have the full co-operation of the Minister and that we need not worry about any problems or lack of communication between here and Ottawa. And, I just wonder what has brought about this amazing transposition.

Mr. Smith: Mr. Chairman, I have nothing to particularly suggest as an answer to this. All I am passing on to you, gentlemen is personal assurances of the Minister concerning his thoughts and I feel I can try to give expression to them in what I told you yesterday. If he has seen fit to change some of his ideas between the answer that he came up with on May 13th and what he has seen fit to communicate with me-this, I am sorry, I have no knowledge of why he would have any thoughts of changing it. But this I can personally assure you that the total content of what I gave you yesterday morning in my opening speech I conveyed directly to the Minister. That is about as far as I can say, gentlemen.

Mr. Chairman: Is there any further discussion on this paper? Clear, gentlemen?

CLEAR

SESSION-Mr. Chairman: We now proceed to Sessional Paper #3, addressed al PAPERto Mr. Speaker, Members of Council, respecting Motion No. 33-#3. Fresh Water Fishing. (Reads Sessional Paper #3).

Mr. Chairman: I wonder if I may be permitted a question from the Chair. Would the Commissioner, Commissioner Smith know of any further communication with respect to this?

Mr. Smith: Unless it has been tabled further on in the Sessional Papers, Mr. Chairman, I am not aware of any. And, I would be very happy to enquire at the administrative level to see if there has been anything further on this.

Mr. Thompson: Mr. Chairman, again inasmuch as this has been dated the 14th of July, I am sure that if they have been giving it serious consideration that possibly by this time they will have something further to report.

Mr. Chairman: Any further discussions, gentlemen?

SESSIONAL Mr. Chairman: We will proceed with the next paper, Sessional PAPER #4 Paper #4, addressed to Mr. Speaker, Members of Council respecting Motion No. 9- Construction of Greenhouse. (Reads Sessional Paper #4.)

SESSIONAL PAPER #4

Mr. Chairman: Is there any discussion on this paper?

Mr. Boyd: Mr. Chairman, the paper is self-explanatory. Personally, I have no desire to discuss it further because I feel there will be another proposition made concerning this experimental farm as time goes on which will probably meet with a little more chance of succeeding.

Mr. Mackinnon: Yes, Mr. Chairman, I feel it is well to let this pass as is. We do have more up to date ideas for the experimental farm and they will be aired at a later date.

Mr. Chairman: Are you clear, gentlemen?

CLEAR

Mr. Chairman: We will proceed with Sessional Paper #5, addressed to Mr. Speaker, Members of Council re Motion No.30-Die Slugs. (Reads Sessional Paper No. 5).

SESSIONAL PAPER #5

MR. SHAW: Mr. Chairman, when I introduced the motion I thought it was a very good idea. Might be possible that the Post Master Gneral himself... I am not aware of all the rules and regulations that they have of governing this. I felt that it was a very good thing to have. It appears to me that I have seen all kinds of advertisements on these die slugs. Not being concerned at the time I am not in a position to put forth any argument in relation to this. All I can say is that I am sorry we cannot have it on. There may be ways around it but, of course, we have no constructive suggestions on how it could be devised. It is just that you can't do that. There may be some ways of getting around it. If I can think of a way I will introduce it.

Mr. Chairman: Any further discussion? Clear?

CLEAR

MR. CHAIRMAN: We will proceed to Sessional Paper No. 6 SESSIONAL addressed to Mr. Speaker and Members of Council re Motion PAPER #6 No. 44 - Landing Facilities - Ross River. (Reads Sessional Paper No. 6).

Mr. Chairman: Any discussion on this paper? Just in speaking from the Chair this is what in fact happened this summer.
There has been a request for enlarging this air strip due to
heavy air travel on it last season and a float docket, two
small docks built on the Pelly River as the foot bridge
could only accommodate one. We were hoping this can be expanded in the future. Next-- all clear?

CLEAR

MR. Chairman: The next Sessional Paper is #7, addressed to SESSIONAL Mr. Speaker, Members of Council re Motion 49 - Spring Session PAPER #7 1966. (reads Sessional Paper No. 7).

Mr. Shaw: Mr. Chairman, there is one matter there that is not quite clarified. I think this is certainly sensible but I would direct this question to the Registrar of motor vehicles, that is these would be on sale, I presume, to people who already have existing licences. They would not be on sale for new vehicles, would they?

Mr. Clerk: Mr. Chairman, the system used is the same as in

SESSIONAL PAPER #7

the provinces. If a person comes in, say the first week that the new license plates are on sale, if the vehicle is not already registered for that current year they must purchase the current registration then they would be sold the new plate. In other words they cannot escape the license fee for the last two months of the year. If it is a straight question of renewal they may buy the new plate and put it on.

Mr. Shaw: Thank you, that answers my question. In case someone should ask me I would be able to give them the right answer.

Mr. Chairman: Any further discussion? May I proceed?

CLEAR

SESSIONAL PAPER #8

Mr. Chairman: The next Sessional Paper is No. 8, addressed to Mr. Speaker, Members of Council re Co-operative Association Ordinance whitehorse Co-operative Association. (Reads Sessional Paper No. 8).

Mr. Chairman: I wonder if possibly Mr. Legal Advisor, as Registrar of Stock Companies may be able to enlighten us in this respect.

Mr. Hughes: Mr. Chairman, the Association failed. There were two or three rather substantial creditors; Burns was owed about two or three thousand dollars and so on. The whole organization just fell apart and— we still have it on our books upstairs but there is no point in perpetuating it. If everybody had ninety days they could either come in and ask the Commissioner to rescind the order to give them another chance or they have had their chance. There are no assets that we can find. There are a truck load of bills and invoices and so on that nobody will give house room to. They might as well be packaged up and forgotten.

Mr. Watt: Mr. Chairman, I would like to ask the Commissioner could not this be taken care of by the administration under which your department is working? I fail to see where this has much to do with legislation. We get quite a few of these and if we pass an opinion on this could it not be that other associations and companies and other things that are the same type of thing that we will have to stop and read it over and pass opinions on them? This could be taken care of by the the administration, if so, I would sooner see it done.

Mr. Smith: I would refer your question from Mr. Watt, Mr. Chairman to your Legal Advisor. I am afraid I am not right up-- I agree entirely on what you have to say. Could I ask the Legal Advisor if--

Mr. Hughes: The provision in the Co-operative Ordinance is for the Commissioner in Council, and in order to give full effect to this phrase that is why it is brought before you today, and when the Commissioner is here so that you would have the opportunity of endorsing your wishes to him. Of course, administratively it could have been a lot simpler. I could have wiped the company or the association a couple of years ago. That is why it is brought before you for your approval.

Mr. Smith: In other words the order is written specifically indicating 'Commissioner in Council', is this correct?

Mr. Hughes: Yes, and we try to give full expression to that.

Mr. Watt: This gives rise to another question. If we are going to be faced with a lot of these possibly and this is administrative detail we could just change the ordinance. Then the administration could take care of that kind of thing in the future.

Mr. Hughes: Could I answer that? This is the only co-operative association in the Yukon registered under this so that is the last of it but we could change the ordinance in the future.

Mr. Chairman: Gentlemen, what is your pleasure in respect to Sessional Paper No. 8. Do you wish at this time to concur with Sessional Paper No. 8? What is your pleasure?

Mr. Boyd: I move that the request to cancel the co-operativeMOTION license mentioned in Sessional Paper No. 8 be admitted.

Mr. Shaw: I second that motion, Mr. Chairman.

Mr. Chairman: Gentlemen, it has been moved by Councillor Boyd and seconded by Councillor Shaw that the request in Sessional Paper No. 8 be agreed to by the committee. Are you prepared for question on the motion? Are you agreed?

AGREED

MOTION CARRIED

MOTION CARRIED

Mr. Shaw: Mr. Chairman, I wonder if I may be permitted to bring up a matter in relation to filing-- what do you call it now-- the annual filing of companies, associations. If I may be permitted to pass just a few remarks with respect to that?

Mr. Chairman: Is the Committee agreed?

AGREED

Mr. Shaw: Mr. Chairman, this is something that I have had some grief with and I will be specific so that I will know exactly where I am situated. This is the ... Museum and Oxford Society of which I am treasurer. Each year we are required by law to file with the Registrar of Titles the directors for the ensuring year, the Profit and Loss Statement, and the Balance Sheet. We, being a very law abiding organization comply with this every year, and we had no difficulties at all until we come to the Balance Sheet. You must remember this is a small community. This is more or less you would say in the form of a benevolent organization. The directors do not get paid; it is something which they do themselves. They volunteer their services to the community. That is fine but -- I being the treasurer make out the Profit and Loss Statement showing the expenditures and then have it audited by persons in the vicinity and then I usually go around and I say to somebody "would you mind making out the Balance Sheet for this organization?" And, of course, there are no accountants there so I have to go to one of the local people, the bank manager or someone like that. Well, this is all fine. I have all the information pertaining to the organization and it goes to the Registrar, and the Registrar, I understand his main concern is -- would be who the directors are and that kind of stuff, but the financial aspects he shoots along to the Territorial treasury department. Well the Territorial

(Mr. Shaw continues)

Treasury Department takes that and everything might balance up fine with the Profit and Loss and the money in the bank and everything else but the Balance Sheet has a figure that shouldn't be there and shouldn't be there so it keep returning. So I get it and I go to the other bank manager after I try three or four other people that don't know how to make out this particular thing. So he makes it. He takes the same figures but puts them around in a different way. So it goes up and it gets to the territorial department and swish back it comes; it is not complying with the law. So finally I trot up there myself and say "what do you want?" Well--"you do this and you do that and you do something else". So, okay, I do that and submit it again with a dollar and a half fee, and fine that is acceptable. But this is something that happens every year, and at the present time I have these papers that were rejected because the Balance Sheet is not quite right; because it was not put into the correct form. So that has to be done again, and I did get a letter from the Registrar telling me the other day that I am behind in the filing and that I had better attend to this and the government wants this and something else. Now, it does seem to me, Mr. Chairman, and perhaps Mr. Commissioner -- you quite understand how these things and regulations and beaurocratic bungling and what not, that here are a few people doing a community effort; they are not chartered accountants, and they give all the information but still it does not comply. I was wondering if we might be able to, through your good offices, cook up some form where you put in this information ${\bf n}$ and you put in that information on a form that you could crank out on one of these Gestetners and a person filling out one of those informations would have no trouble. And, believe me, the people that do work in these communities work very hard at these different projects, and something like that just makes a little more difficult, and it seems like an unnecessary difficulty. I wonder if you could come up with something that would make it a little easier for these people.

Mr. Smith: Mr. Chairman, I think this is a fertile field for Mr. Thompson to make this service available to all these non-profit organizations in the territory. Mr. Chairman, I would be very happy to speak with the Legal Advisor to see if we can rememby this apparent wrong.

Mr. Shaw: Thank you.

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

CLEAR

SESSIONAL PAPER #9

Mr. Chairman: We will now proceed with Sessional Paper No. 9 It is addressed to Mr. Speaker, Members of Council - Motion No. 24 - 24 hour Broadcasting, Whitehorse. (Reads Sessional Paper No. 9).

Mr. Clerk: Mr. Chairman, may I suggest that you skip to Sessional Paper No. 11. It is on the same motion.

Mr. Chairman: $Y_{\text{O}}u$ gentlemen agree that we take these two papers in conjunction with each other?

SESSIONAL PAPERS #9 & #11

AGREED (that Sessional Papers #9 and #11 be taken in conjunction with each other).

Mr. Chairman: We refer further to Sessional Paper #11-Mr. Speaker, members of Council - Motion 24 - 24-Hour Broadcasting- Whitehorse. (reads Sessional Paper No. 11).

Mr. Watt: Mr. Chairman, with respect to this -- during the session that we had the new data that we have here I will make a motion to Council to have this stuff installed in Whitehorse. We can discuss the pros and cons now that we have the information. If it is not feasible then Council won't accept it but if it is feasible then Council may accept it and install this...

Mr. Chairman: Any discussion?

Mr. Taylor: Mr. Chairman, this has been one of my pet subjects. This is my old pet as long as I have been in Council. It affects my constituents in the Ross River area and some other areas closer to Whitehorse, as well as the people of Whitehorse. There is one indication that is of concern is that the hinterland-- the concern the hinterland has for the people of Whitehorse area. The matter of 24-hour broadcasting has been under consideration here for many years. We have been thwarted in every effort and every representation by the Canadian Broadcasting Corporation to turn on their radio transmitter to provide what they think -- I think, they call here "the best radio broadcasting service within its resources". Now its resources are being spent at a pretty fast rate, I think. We are talking about ten thousand dollars a year to provide this service in the Whitehorse area. Now, I think there is one little item of nine to ten million dollars being spent by the Canadian Broadcasting Corporation to provide advertising in relation to Expo '67 to' be handed over to American television. There have been millions upon millions upon millions upon millions of dollars spent in developing color television facilities across Canada and I had a chance to view some while I was in Edmonton. There have been further millions spent in other areas, and here we are talking about ten thousand dollars, this large corporation could put into good use to serve-- I don't know what there is around here-- probably a listening area of about nine thousand people. In the first instance we tried the Board of Broadcast Governors and we failed; and we tried the C.B.C. again and also failed. We tried the Northern Service. We tried every department of the Canadian Broadcasting Corporation that I can think of. It seems to me now that what we must do is carry our request along further to either the Secretary of State, if it be he that controls the C.B.C., or to the Prime Minister himself. It seems that this is the only way we are going to get any action. The only other alternative would be if the good people of the territory pitch in and provide a ten-thousand-dollar grant to the Canadian Broadcasting Corporation. They possibly are too poor now because they spent all these millions of dollars elswhere. So that we can provide this community with 24-hour radio service. Now I might add that this has been provided throughout the rest of the territory for many years. This is disgraceful and this is the type of thing that we are up against in Council, and I am sure our new Commissioner, Commissioner, Smith, can appreciate this. Now, I don't feel

SESSIONAL (Mr. Taylor continues)
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that LPRT is the answer. The cost differential obviously it isn't. One of the C.B.C's northern technicians pointed this out to us some time ago. We have a transmitter, a perfectly good one. I Understand the antenna system could be improved to give it a wider watts to work-- a thousand watts to work more efficiently. Apart from that we have a fine transmitter servicing a big area, and we at Ross River would like to hear this thing too, and some of my constituents in outlying areas and can't hear this. So I think what we have to target at is getting the station turned out. This apparently means the hiring of another employee to sit there and maybe read comic books all night -- I don't know, or maybe a C. B. C. Television... I don't know, but this is what the ten thousand dollars is for, in addition to the cost of power I suppose lights in the building where he would sit. I will in this respect once again bring forth a motion if you gentlemen will allow me some time to prepare this in proper form which would ask that you consider sending a request to the Prime Minister or the Secretary of State... to see if this can be provided. Possibly the Minister of N_{O} rthern Affairs can help us out on this ten thousand dollars which we might be able to pay the C.B.C. for this service because I think this is important to people. A lot of people work on shift work and would certainly find life a little brighter with this. And, we would also have the involvement with the EMO, Emergency Measures. If anything happened people can be made aware of a disaster anywhere in Yukon. So this is all I have to say on this. I have another matter involving television services. I am not too sure-- I cannot recall whether we have received anything on it. I will leave that until later.

Mr. Boyd: Mr. Chairman, this Council is getting just like everyone else. Spend it all! No matter what! Ten thousand dollars is nothing. Before you get through with this Council session you will be moaning and groaning over the cost of this and the cost of that. And, the people are going to also groan before very long. Now if we can just keep on building these mountains, luxuries and so on the day is going to come when we are going to pay for them, and I assure you you are going to get some surprises moneywise, in the cost of operation of this Yukon. I have not heard a single soul complain about not having night music in Whitehorse in all my time on the Council, other than at this table. And, they are not really suffering. There is radio noises all over the dial midnight and afterwards. So I don't think it is so tragic. But my point is that we certainly should start thinking about who is going to pay. I would like to ask Ccuncillor Taylor if I was to throw seven per cent increase in taxation how he would feel? Would he want to look for it? Because we are going to need it to pay our way. We are hiring more and more than ever high priced people, and this is explanatory not only in view of the way things are going but now we are getting to the point where we should stop and consider some of these things as if it was our own money and ask"do we need them really?" We are living pretty handsome. It is all right to be well fed and so on, as far as I am concerned, but I don't think that I should go and want to own the world at the same all one time.

Mr. Taylor: Mr. Chairman, possibly I was being a little facetious when I suggested the collection of the money for the C.B.C. because they are running out of money and cannot

provide this ten thousand dollars out of the millions that -- SESSIONAL millions and virtually hundreds of millions that are wanted PAPERS 9 & annually. I cannot see people groaning over something whichll. is beneficial to the general public. The question is are we spending money wisely? Is the government spending it wisely? In other words we are not concerned with the monies that are under our control because we have a budget and some answers for them but maybe we are more concerned about the money spending by other government sources further away in Ottawa, such as the C.B.C. and such as the Department of Public Works and other things. And, when people come and tell us we are a high deficit area and they are spending Millions in this territory; they may not be spending millions to the general benefit of the territory. They may be doing for the general benefits of their own departments or some place in the south, such as I cite in this case the meteorological service. Now this is here to help out there sort of a thing. If people are going to groan about this then they can groan to the tune of some good music. The C.B. C. have some pretty good music -- some of the best. And, if you ask me if I would agree to a seven per cent tax increase I would say, viewing the fact if I see where the benefits of a seven per cent tax across the board of the Yukon territory -- if I could see where the benefits would accrue to a large degree to the people in the territory, if it was a better place to live and the money was spent wisely, I would agree to that.

Mr. Boyd: Mr. Chairman, I think Councillor Taylor misunderstood me. The seven per cent tax that I was using as a guide is on the money already spent— it is already spent. You are not paying enough to pay back what you spent. Now if you want to spend some more you will be up another ten cents.

Mr. Taylor: Mr. Chairman, I think when we get down to supplementary estimates we will find what we spent and what we haven't spent this summer. So I think we had better leave that discussion until later.

Mr. Chairman: Any further discussion?

Mr. Shaw: Just one question I would like to ask. I see by Sessional Paper #11 it appears someone made a suggestion on doing a certain type of work. Has anyone any information where this has been accepted or rejected or is it still in the hopper?

Mr. Watt: Mr. Chairman, with respect to this LPRT it was a request to find out how much money was involved in providing this LPRT system throughout the Yukon territory, and this is the largest of the expenditures, seventy five hundred dollars, and I understand in other parts of the territory where they do have this system the operation cost afterwards is negligible. I would like to say that my children are growing up and they are in bed not too late at night but they get up early in the morning and turn the radio on and all they can get is Russia. And they will know Russian before they will--I think that if they had the twenty-four hour service that the expense involved is very little. I have a motion prepared with a request to set up this system in the Whitehorse area. So that if we are due for an atomic attack or something like that someone may have the radio on and can run over and tell us because I don't think the Russians would. It is simply a request to the C.B.C. and they will either accept it or

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reject it.

Mr. Shaw: Mr. Chairman, the cost of preventing the children from becoming bilingual I would feel that perhaps one of these LPR's... I think that perhaps it would be a good thing. To be quite frank I can't see the keeping of a radio station open twenty four hours a day, because as you say, all that man has to do is sit down and read funny books or perhaps more ... reading. But one of these LPRT's-- unfortunately I am usually going to bed when one of these programs come up from Vancouver, but personally, I only speak personally, it is to me the most entertaining program of the whole day's operation. You get straight music and news. News is on the hour, and I really think it is very good. I would be very much in favour of putting one in. Insofar as the message is coming across the line and has to go through here before it gets any place else, and the cost of maintaining it is apparently very very small, and when it is going by, as has been pointed out, there are many people working on shift work. I mean the object of radio broadcasting is to be entertaining but the objective these days seems to be getting it more educational than entertaining. Unfortunately the radio is turned off and not listened to on this account. So the LPRT program, I think, would be just ideal.

Mr. Taylor: Another comment on the LPRT system, gentlemen, is that, as I say, for the fraction of cost is easier to man than the existing transmitter. I think there is a little problem here but I cannot remember what it was brought up by a Mr. Moore, I believe, of Northern Services. I believe it has something to do with airport facilities. In any event one other problem we have with LPRT's is that it takes three years from the time you request them to the time they are put in. Now in the case of Teslin it took three years from the time requested by this Council. I requested three years ago for an LPRT at Swift River and I hear, driving into Whitehorse, I heard the news of the north that they finally ceded in this request and are making the final application now, three years later, the usual time lapse, and put in the transmitter so these people would have the benefits of radio this winter, in fact twenty four hour radio. We think its news. So I cite this as an obstacle that will have to be overcome in consideration of further LPRT service. I would also point out that in relation to having the Whitehorse station twenty four hours a day that you are servicing from Whitehorse, and many of my constituents in the Ross River area -- it is not the best but they do get it twenty four hours a day. If I was to start a proposition of trying to get an LPRT system in Ross River at this time to give them twenty four hour coverage, I would have to wait three years, three long years, and that is the trouble we have been experiencing here in the territory. This three-year time lag is no good. So I just cite this for your information.

Mr. Watt: I cannot get what he is getting at. He just finiarguing that we should not have an LPRT and now he is saying they are good and we should close in the time length so we can get them. I agree and I am going to put in a request to get one in the Whitehorse area. It is very simple. There are a lot of people on shift work and I have heard a lot of complaints about this and I have been on shift work myself for three years of it in the winter time and I would have liked to have a little bit of music and news. There will be a motion before Council members and they can either vote for or against it.

RECESS.

4:30 p.m.
Tuesday, November 8, 1966

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

Mr. Taylor: Gentlemen, as the hour is growing late, I must apologize to the Commissioner for forgetting that he had some communication to relate to us at this time.

Mr. Commissioner: Yes, I would read it and then take it up ACCESS with you. The first concerns the Carcross-Skagway road: "Study of Skagway-Carcross Road and alternative routes to tidewater approved by treasury board November 3. Terms of reference may be released to council and are as follows1. Determine how the proposed road from Skagway to Carcross would compare with existing and alternative networks for the economic movement of resources from within the Yukon to tidewater.

- 2. Determine the impact of each of the alternative methods on transportation companies which currently transfer commodities to tidewater via existing routes. Particular importance would be given to the effect of the alternatives on the White Pass and Yukon Route.
- 3. Determine the impact of potential shifts in the traffic pattern and transportation operations on the economy of the Yukon in general and on the local economy of Whitehorse in particular. This would consider both economic and sociological
- 4. Determine and compare the total costs and quantifiable benefits of each of the alternative transportation networks in terms of their effort on the economies of the Yukon, British Columbia and Alaska.

Northern Development Minister Arthur Laing has announced that an important study is to be undertaken of transportation routes between the Yukon Territory and tidewater ports on the Alaska panhandle. The study will focus on a possible road which could be built to link the Yukon interior with Skagway, Alaska, via Carcross in the Yukon. It will also consider alternative transportation systems based on existing routes such as the White Pass Railroad and the Haines Cut-Off Road. "In order to develop the Yukon you must develop it's natural resources and transportation costs are a major obstacle to resource development in the North" said Mr. Laing. He added "The purpose of the study is to identify the most economical routes from the Yukon to tidewater ports". The study which will cost approximately \$45,000 will be undertaken by Travacon Research Limited of Calgary, Alberta, a firm with considerable experience in transportation research. Travacon was one of the firms which assisted the Stanford Research Institute in conducting the economic study of the Alaska Highway on behalf of the Department of Indian Affairs and Northern Development recently." This is for release Tuesday, November 8, 1966." There you are Mr. Chairman.

Mr. Taylor: Could copies of this be made available to Members of Council?

Mr. Commissioner: I am sure that Mr. Clerk would be most happy to make this available. 化环烷基氯化甲醇苯二甲二烷异苯氯化

Mr. Taylor: Is there anything else Mr. Commissioner you wish to take up at this time?

Mr. Commissioner: Nothing else that I know of atothe to the moment... I think that I have dealt with all the questions that you asked of me this morning. I think you have one here this afternoon concerning Sessional Paper #3. This is the only thing that I know of, if there is anything else the Council can let me know.

Mr. Taylor: Gentlemen, would you require the presence of Mr. Commissioner any longer? Thank you.

Mr. Taylor: Gentlemen I would draw your attention to the am indl.ed.5 cas

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

Mr. Southam: I second the motion.

Mr. Taylor: Gentlemen, it has been moved by Mr. Boyd and seconded by Councillor Southam that the Speaker now resume his chair and hear the report of the committee. Are you ready for the question? Are you agreed with the motion? The motion is carried.

MOTION CARRIED

MOTION CARRIED

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Mr. Speaker: I will call the Council to order and we will hear the report of the chairman of committees.

Mr. Taylor: Mr. Speaker; Committee convened at 2:25 this afternoon to discuss Bills, memoranda and sessional papers. Mr. Commissioner was also present. It was moved by Councillor Boyd and seconded by Councillor Shaw that the Sessional Paper #8 be agreed to by committee and this motion was carried. It was then moved by Councillor Boyd and seconded by Council lor Southam that Mr. Speaker do resume the chair and this motion was also carried.

Mr. Speaker: Thank you Mr. Chairman. You have heard the report of the chiarman of committees, are you agreed with the report. Any contrary? The report is accepted. Now gentlemen I think that the next item on our agenda would be to lay out our agenda for tomorrow. What is your wish?

Mr. Taylor: Mr. Speaker, we have several more Sessional Papers to plow through and I suggest that tomorrow morning that we will no doubt he discussing Bills so I suggest Bills, memoranda, etc.

Mr. Clerk: Mr. Speaker, could I suggest that the first Bill you consider would be the amendment to the Motor Vehicles Ordinance so that we can get this matter of skidoos, etc. settled. People are rolding back licensing their vehicles until this is passed.

Mr. Speaker: . Is Council agreeable to Mr. Clerk's suggestion.

Mr. Watt: Could I suggest that we give priority to both the Municipal Ordinance and the Motor Vehicles Ordinance and if possible we could get them assented to together:

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Mr. Speaker: You suggest Mr. Watt that we put these two Bills on the agenda for tomorrow? Mr. Taylor: Mr. Speaker, I would suggest that in the processing of Bills, we have been told today that one was fairly urgent and we have just been told by Mr. Clerk that another is fairly urgent. Rather than be led around like a bunch of trained seals I suggest that this be brought to our attention at a time we have decided on to discuss Bills. Not in this fashion.

Mr. Speaker: I think it does serve the same purpose. We have settled the agenda for tomorrow, what is your pleasure gentlemen.

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

Mr. MacKinnon: I second that motion.

Mr. Speaker: It has been moved by Councillor Southam and seconded by Councillor MacKinnon that we call it five o'clock at this time. Are you ready for the question? Are you agreed with the motion? The motion is carried. This Council now stands adjourned until tomorrow morning at 10:00 o'clock.

EXPLANATORY NOTES Re: AMENDMENT TO THE MUNICIPAL ORDINANCE

The Taxation Ordinance was passed in the Second Session of 1959 as chapter 2 and it repealed section 18 of the Taxation Ordinance which was chapter 103 of the 1958 Revised Ordinances. The old Ordinance provided as follows:-

- "18.(1) For the purposes of taxation, land, except as hereinafter provided, shall be assessed at its actual value, and improvements shall be assessed for the amount of the difference between the actual value of the whole property and the actual value of the land as if there were no improvements; but land improvements shall be assessed separately.
 - (2) The pole line, cables and wires of any telephone, telegraph, electric light or power company within the Territory shall for the purposes of assessment and taxation be deemed to be land and the amount of assessment thereon shall be five hundred dollars per mile of pole line, cables and wires.
 - (3) There shall be levied and collected annually on every railway within the Territory, if such railway has been, or as soon as it has been, in operation for two years or more, a tax on an assessment of \$5,280.00 per mile on every mile of single track of every railway company mentioned in paragraph (a) of subsection (1) of section 13, whether the same be upon a public highway, or privately owned right-of-way; and any privately owned right-of-way shall be assessed in addition and separately at its actual value as land.
 - (4) The water pipes or other equipment of any water company on a public highway or street or road allowance shall be deemed to be land, and shall be assessed as such at the rate of forty cents per running foot."

The present Ordinance provides as follows in section 14:-

- "14.(1) Improvements to land shall be assessed at two-thirds of their fair value.
 - (2) The Assessor may assess the value of an improvement at less than two-thirds of its fair value in any case where, in his opinion, the disadvantages of location or other circumstances affecting its value would justify him in so doing."

Council will see that the effect of the changes was to leave the Assessor without firm guide-lines on which to calculate values. In practice, however, he has continued to use what is almost the old formula.

EXPLANATORY NOTES (Cont'd.)

In British Columbia and Alberta the authorities have found it advisable to retain specified values per mile and it is suggested that this would be good practice in the Yukon. As a matter of fact, the Assessor has been working with slightly increased figures over the 1959 standards, i.e. - \$700.00 per mile of pole-line as compared with \$500.00, and \$5,800.00 per mile of single track as compared with \$5,280.00

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Wednesday, November 9, 1966. 10:00 a.m.

Mr. Speaker read the daily prayers and Council was called to order. All Councillors, the Commissioner and the Legal Advisor were present.

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

Mr. Clerk: There is, Mr. Speaker.

Mr. Speaker: Have we any correspondence this morning, Mr. Clerk.

Mr. Clerk: I have no correspondence this morning, Mr. Speaker.

Mr. Speaker: Thank you. Have we any Reports of Committees? The next item will be Introduction of Bills. What is your pleasure, gentlemen?

Moved by Councillor Taylor, seconded by Councillor Boyd, that BILL #12 Bill No. 12, An Ordinance to Amend the Vital Statistics Ordi- INTRODUCED nance be introduced at this time.

MOTION CARRIED

MOTION CARRIED

Mr. Speaker: Have we any Notices of Motion and Resolution? Have we any Notices of Motion for the Production of Papers? Have we any questions this morning, either oral or written?

Mr. Taylor: I have an oral question, Mr. Speaker, to direct to the Legal Advisor. Will it be possible to have the Game Ordinance and Amendments before us at an early date this Session?

Mr. Legal Advisor: Not this Session, Mr. Speaker. I have no recent instructions. I wonder if I could come back with a fuller answer. I am not in a position to make an assessment at this time.

Mr. Speaker: Have we any further questions.

Mr. Boyd: Mr. Speaker, I would like to direct a question to Commissioner Smith. If Council goes to Ottawa, I am wondering if Council will be permitted to have a secretary with them while in Ottawa or would the recording machines be available so we could have the records available when we come home?

In answer to that, could I have the Commissioner Smith: opportunity to look into just what the routine is. I would be quite prepared to look into this and give you a reply promptly after lunch time today.

Mr. Speaker: Any further questions?

Mr. Thompson: Mr. Chairman, I would like to direct a question to the Commissioner if I may. When our Session terminated in the spring, there was every indication, or very dominant feeling, that the Territorial Council, together with a large number of Territorial Departments and employees, would be moving up the Hill to Camp Takhini in the Northwest Highways Headquarters. I have seen nothing to the contrary and like everybody else we are beset with rumours. Council will conceivably be meeting elsewhere. I am just wondering if the proposed move has been

Mr. Thompson continues: shelved indefinitely or just what the picture is in conjunction with the Territorial and/or Territorial Government move up to the Northwest Highway Systems Headquarters.

Commissioner Smith: Mr. Speaker, I have some information in connection with the question that has been asked and if I could have the opportunity of rising immediately after lunch time today, I can give you the whole situation wrapped up, or I could give you a partial answer right now - whichever is suitable to you.

Mr. Speaker: You prefer a full answer, Councillor Thompson? That will be fine. Have we any further questions. If not, we will proceed to Public Bills and Orders to give first and second reading to at least some of the Bills before us so we can process them as we go along.

FIRST
READING
BILL #1
MOTION

Moved by Councillor Taylor, seconded by Councillor MacKinnon, that Bill No. 1, An Ordinance to Amend the Companies Ordinance, be given first reading at this time.

MOTION CARRIED

SECOND READING BILL #1 Moved by Councillor Taylor, seconded by Councillor MacKinnon, that Bill No. 1, An Ordinance to Amend the Companies Ordinance, be given second reading at this time.

MOTION CARRIED

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MOTION CARRIED

READING BILL #2

FIRST

Moved by Councillor Boyd, seconded by Councillor Southam, that Bill No. 2, An Ordinance to Amend the Taxation Ordinance, be given first reading at this time.

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MOTION CARRIED

MOTION CARRIED

SECOND READING BILL #2 Moved by Councillor Boyd, seconded by Councillor Southam, that Bill No. 2, An Ordinance to Amend the Taxation Ordinance, be given second reading at this time.

MOTION CARRIED

MOTION CARRIED

FIRST READING BILL #3 Moved by Councillor Southam, seconded by Councillor Boyd, that Bill No. 3, An Ordinance to Amend the Municipal Ordinance, be given first reading at this time.

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SECOND READING BILL #3 Moved by Councillor Southam, seconded by Councillor Boyd, that Bill No. 3, An Ordinance to Amend the Municipal Ordinance, be given second reading at this time.

MOTION CARRIED

MOTION CARRIED

FIRST
READING
BILL #4
MOTION
CARRIED

Moved by Councillor Boyd, seconded by Councillor Southam, that Bill No. 4, An Ordinance to Amend the Liquor Ordinance, be given first reading at this time.

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Page 44.

| Moved by Councillor Boyd, seconded by Councillor Southam, that Bill No. 4, An Ordinance to Amend the Liquor Ordinance, be given Second Reading at this time. | SECOND READING BILL #4 MOTION |
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| MOTION CARRIED | CARRIED |
| Moved by Councillor Taylor, seconded by Councillor MacKinnon, that Bill No. 6, An Ordinance to Amend the Coroners Ordinance, be given first reading at this time. MOTION CARRIED | FIRST READING BILL #6 MOTION CARRIED |
| Moved by Councillor Taylor, seconded by Councillor MacKinnon, that Bill No. 6, An Ordinance to Amend the Coroners Ordinance, be given second reading at this time. MOTION CARRIED | SEGOND READING BILL #6 MOTION CARRIED |
| Moved by Councillor Southam, seconded by Councillor Boyd, that Bill No. 7, An Ordinance to Amend the Low Cost Housing Ordinance, be given first reading at this time. | FIRST READING BILL #7 MOTION |
| MOTION CARRIED | CARRIED |
| Moved by Councillor Southam, seconded by Councillor Boyd, that Bill No. 7, An Ordinance to Amend the Low Cost Housing Ordinance, be given second reading at this time. | SECOND READING BILL #7 MOTION |
| MOTION CARRIED | CARRIED |
| Moved by Councillor Boyd, seconded by Councillor Southam, that Bill No. 8, An Ordinance to Amend the Fire Prevention Ordinance, be given first reading at this time. | FIRST READING BILL #8 MOTION |
| MOTION CARRIED | CARRIED |
| Moved by Councillor Boyd, seconded by Councillor Southam, that Bill No. 8, An Ordinance to Amend the Fire Prevention Ordinance, be given second reading at this time. | SECOND READING BILL #8 MOTION |
| MOTION CARRIED | CARRIED |
| Moved by Councillor Taylor, seconded by Councillor MacKinnon, that Bill No. 9, An Ordinance to Amend the Motor Vehicles Ordinance, be given first reading at this time. MOTION CARRIED | FIRST READING BILL #9 MOTION CARRIED |
| | |
| Moved by Councillor Taylor, seconded by Councillor MacKinnon, that Bill No. 9, An Ordinance to Amend the Motor Vehicles Ordinance, be given second reading at this time. MOTION CARRIED | SECOND READING BILL #9 MOTION CARRIED |
| Moved by Councillor Southam, seconded by Councillor Boyd, that Bill No. 10, An Ordinance to Authorize the Commissioner to Lend Money to the City of Whitehorse for the Construction of Municipal Works, be given first reading at this time. | FIRST READING BILL #10 |
| MOTION CARRIED | MOTION CARRIED |

SECOND READING BILL #10 Moved by Councillor Southam, seconded by Councillor Boyd, that Bill No. 10, An Ordinance to Authorize the Commissioner to Lend Money to the City of Whitehorse for the Construction of Municipal Works, be given second reading at this time.

MOTION CARRIED

MOTION CARRIED

FIRST READING BILL #11 Moved by Councillor Southam, seconded by Councillor Boyd, that Bill No. 11, An Ordinance for Granting to the Commissioner certain Sums of Money to defray the Expenses of the Public Service of the Territory, be given first reading at this time.

MOTION CARRIED

MOTION CARRIED

SECOND READING BILL #11 Moved by Councillor Southam, seconded by Councillor Boyd, that Bill No. 11, An Ordinance for Granting to the Commissioner certain sums of Money to defray the Expenses of the Public Service of the Territory, be given second reading at Saven E this time.

MOTION CARRIED

MOTION CARRIED

Mr. Speaker: That, gentlemen, completes the Bills. What is your pleasure at this time? Perhaps I might bring to your attention that the Agenda calls for Bills, Memoranda and Sessional Papers, with reference to the urgency of completing as soon as possible the Municipal and Motor Vehicle Ordinances.

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

20.00

MOTION CARRIED

MOTION CARRIED

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

Mr. Taylor: I will call a short recess.

BILL #9

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Mr. Chairman: We will call Committee to order. I believe it is your pleasure to discuss Bill No. 9, An Ordinance to Amend the Motor Vehicles Ordinance. (Reads Bill No. 9 and the Explanatory Notes). Proceed, gentlemen.

Mr. MacKinnon: Mr. Chairman, I would like to ask the Clerk a question. In subsection (3), it outlines that we "may be equipped with one or more lamps".

Mr. Clerk: Well, Mr. Chairman, the only change in that subsection is that under the old section, as it is now in the Motor Vehicles Ordinance, it called for blue lamps for snowploughs and this is in variance with B.C. and Alberta. As stated in the explanatory notes, this is merely to standardize on amber lights, rather than to have blue lights here and amber lights in B.C. That's the only change.

Mr. Watt: I think what Councillor MacKinnon was getting at was should that not be "must" because the following section indicates it should be mandatory.

Mr. MacKinnon: That was my intention, Mr. Chairman.

BILL #9

Mr. Clerk: As I say, this is the way it is worded now. There was no change in that part of the wording. It has always been "may".

Mr. MacKinnon: Then, Mr. Chairman, you wouldn't have to. Is that right?

Mr. Clerk: But then the following section tells you that you may not operate without the amber lights.

Mr. Watt: I have a question I would like to ask Mr. Clerk, the Registrar of Motor Vehicles, and that is the definition of a "highway". Would that mean roads within the City of Whitehorse, or sideroads, or....what is the definition of "highway"?

Mr. Clerk: Well, Mr. Chairman, the definition of a highway in the Motor Vehicles Ordinance includes any thoroughfare, street, road, trail, avenue, parkway, driveway, viaduct, lane, alley, square, bridge, causeway, trestleway or other place, whether publicly or privately owned, any part of which the public is ordinarily entitled or permitted to use for the passage of vehicles, and I would think that covers anything that will pass as a road.

Mr. Shaw: Mr. Chairman, we are taking out subsection (4) of section 26 in relation to a temporary permit. Will that mean that...there's nothing to substitute that apparently... there will be no temporary permits? Am I correct in assuming that?

Mr. Clerk: Yes, Mr. Chairman, that means that no one under the age of 18 will be able to obtain a chauffeur's licence. This is what the section was...temporary permit for operators under 18 to obtain a chauffeur's licence. The Commissioner at that time had set the policy that he wouldn't grant it and rather than have the discretion in there, it was his wish that we delete it entirely.

Mr. MacKinnon: Mr. Chairman, if, for instance, a young person, say at 16, owned a vehicle, then would it be necessary for him to purchase a chauffeur's licence to operate?

Mr. Clerk: Not unless he wished to operate it as a chauffeur. He could operate it as an operator but he couldn't operate it as a chauffeur for hire unless he was 18.

Mr. Boyd: Mr. Chairman, somebody under a certain age wouldn't even be able to get insurance and so on, would he?

Mr. Clerk: Oh, yes, there are lots of owners under the age of 18 but they do not operate their vehicles as a chauffeurs. They merely have an operator's licence.

Mr. Thompson: Well, Mr. Chairman, this has come under scrutiny or change because it was the experience of the former Commissioner. I am just wondering whether anyone has bothered to ascertain from the present Commissioner whether this is going to cause considerable problems for him or is it necessary for this change.

BILL #9

Mr. Commissioner: In going over these Bills, along with the rest of your Legislative Program, Mr. Chairman, I asked concerning this and I would say that I would be in agreement with what former Commissioner Mr. Cameron found.. that this would be something that I would like to see changed. I don't think that the Commissioner should find himself in the position of acting as a legislative body. I think that Council should say what they wish and then it's up to the Commissioner to carry out those wishes. I don't think that he should be empowered to pass judgement on as to whether one person should get something under certain conditions and one person wouldn't. This is the question.

Mr. Watt: Mr. Chairman, I have one question I would like to ask the Registrar of Motor Vehicles to clear up. Subsection 4 says "No person shall operate on a highway a vehicle referred to in subsection (3) that is actually engaged in the work of recovery, highway construction, snowploughing or highway maintenance unless that vehicle is showing a flashing amber light that is clearly visible in both directions". Now, what would the situation be, say, a D-7 cat was working on the side of a highway glacier. It's pretty difficult for some of these cats and things that don't have cabs on them to have a flashing light on them and often they don't have generators on them. Would a machine such as that be considered a vehicle?

Mr. Clerk: No, a D-7 caterpillar is not a vehicle under the Motor Vehicles Ordinance. It is not governed at all by the Motor Vehicles Ordinance.

Mr. Southam takes the Chair.

Mr. Taylor: Mr. Chairman, I would just like to refer for a moment to section 5 of this Bill which refers to skidoos or track snow vehicles. In this regard, I would like to direct a question to the Registrar of Motor Vehicles and ask him if track snow vehicles that are not used in public vehicles are required to be licenced and if, also, track snow vehicles used on public highways, if full P.L. & P.D. insurance is required on them and how is this policed.

Mr. Clerk: Well, if the vehicle is not used on the highway, it does not require a licence of any description any more than a dog team when it's operated on the trail, but when it is operated on the highway as a motor vehicle, it requires the same insurance coverage, the same requirements as to driver's licence, that a motor vehicle does. This is why you will find that some of the Provinces have banned these type of vehicles from the highways. They will not licence them and will not allow them on the highways. Some Provinces do allow them on certain highways and not on others, but under our Ordinance, if they are used on any road as a motor vehicle, they need to be licenced and they need to be insured, the same as an automobile.

Mr. Taylor: This gives rise, Mr. Chairman, to another question.

Because of the very nature of these vehicles, one thousand pounds
or less...their smallness...I can see where they could present
quite a hazard when used on a public road. I am just wondering
what happens if someone has an unlicenced skidoo, not normally

BILL #9

Mr. Taylor continues: used on the road, but does cross or for some reason or other causes himself to be on a highway, creating an accident, how would one recover....for instance, for injuries and damage to the vehicle incurred from these unregistered skidoos that aren't supposed to be on the highway.

Mr. Clerk: They are not permitted to be on the highway unless they are licenced and insured so that if they were on the highway without these requirements, they would be the same as any automobile that would be on the highway without insurance. You would have a civil case on your hands to try and recover damages from the owner and operator of the other vehicle.

Mr. Taylor: This is the very point. I see there are more of these vehicles coming in every year. Would it not be worthy of considering the complete removal of these vehicles from public highways?

Mr. Shaw: It seems very obvious that if you have it on a highway...if you use it 90% of the time somewhere else... if you are on the highway travelling with this rig and some accident happens, I presume the Crown would make charges on account of you were illegally on the highway, the person would be proven guilty and then it would be necessary for a civil case and do the best you could with what the fellow had the same as an automobile. If a person isn't using his automobile, you can't say that he's got to get a licence but if he should take it out and use it and anything happens, he would be responsible.

Mr. Taylor: Mr. Chairman, this is the point. We have within the Motor Vehicles Ordinance provided protection for all drivers in the Yukon where if they do find themselves involved in an accident that P.L. & P.D. insurance would be provided, but hereby we have a situation whereby we can licence some of these but some of them won't be licenced and if they do appear on the highway and cause an accident, the poor guy that gets hurt, or whose vehicle is badly damaged, has really no hope of recovering any funds even though he goes to civil court. In all likelihood, he couldn't recover sufficient to repay his damages to himself and his vehicle. As I say, it seems to me that maybe the Provinces who have outlawed these vehicles for use on public roads may have had this in mind in order to give complete coverage to people they are protecting under the Motor Vehicle Act.

Mr. Watt: I have another question for the Registrar of Motor Vehicles. In the same section, section 4, under your definition of highway it includes "any thoroughfare, street, road, trail, avenue, parkway, driveway, viaduct, lane, alley, square, bridge, causeway, trestleway, or other place, whether publicly or privately owned". That means that I couldn't plough out my own driveway. I've got a driveway that leads down to the Alaska Highway. I built it myself and it cost three or four thousand bucks, keeping with the Whitehorse Metropolitan Plan. I've got about an eighth of a mile of road to plough out. I've either got to...machine that I could do it myself. There's DPW machinery going by but they won't do it. Territorial machinery won't do it. Enterprises won't talk to me so I'd have to go to Edmonton

BILL #9

Mr. Watt continues: or some place to get a machine to do this or install these lights myself. There's a lot of locations along the Alaska Highway that have a second hand grader that they have purchased themselves to clean out their own driveway leading to and off the driveway. According to this, all these vehicles would be affected, these snow removal vehicles. Is that right?

Mr. Clerk: That's entirely right. As long as the road is open to the public, it's a public road. Then they would require an amber light to operate a snow plow.

Mr. Watt: According to this, even if it's privately owned.

Mr. Clerk: Or privately owned, any part of which the public is entitled or permitted to use. So, even if it is privately owned, if the public is allowed to enter it, it is a public road. There isn't any thing as a private road if it's open to the public. It's a public road...whether you own it or not.

Mr. Watt: I think that there should be an amendment to it suggesting that if this machinery is out for hire....in other words if a person is ploughing out his own driveway, he shouldn't have to go....and it's used by the public, such as Mike Yakielashek there. He's got a grader that he uses for himself to plough out his own driveway. He uses it possibly an hour every couple weeks....every time it snows. He is going to have to go purchase this flashing light and there's probably about \$150.00 involved and chances are there are quite a few of this type of vehicle throughout the Territory. I think that the Committee should consider a slight amendment to this to allow for possibly the dividing line to be if the vehicle is for hire. Could I ask the Registrar of Motor Vehicles about this.

Mr. Clerk: Well, Mr. Chairman, in my opinion, the problem wouldn't present itself, I don't think, in any number of cases so that Council should worry about it. In the case of the highway lodge operator that you mentioned, I think it should be required. In the case of a private individual ploughing out the road to their own private residence, I don't think you would ever have the problem arise where he was forced to put an amber light on his machine. I think the public lodge operator should be required to because he will be ploughing right out to the main highway if he is doing his own entrance and that is a public road. There is no question about that. I don't think this will create any problems.

Mr. Thompson: Well, Mr. Chairman, Mr. Watt mentioned a figure of \$150.00 for an amber light. It seems a little high. I was just wondering whether the Registrar of Motor Vehicles does have any figures on the installation cost of one of these lights on a vehicle.

Mr. Clerk: No, I don't have a figure on the cost.

Mr. Watt: I think that if you checked in that that would be a fairly accurate figure. It's a pretty elaborate affair. You've got a rotating beacon up on top, all the paraphenalia that goes underneath it and different types of things. I know quite a few cases like that myself...Al Sowden out there and there's a couple of them in Porter Creek, two or three of them out there. I've got two vehicles of this type myself. I think you could probably find thirty or forty of these throughout the Territory of this type of thing where people do the odd hours work. I would hate to see a lot of these people being picked up and fined or something like that. In my own particular case, I've got some apartments up there used by the public. It's my private driveway because I built it myself and I pay taxes on it and I have to plough it out myself. Now I have to put a \$150.00 flasher on it which I would certainly do if this is the wish of Council. Now, there are a lot of people who have these machines who don't use them as much as I do.

Mr. Clerk: Mr. Chairman, I would just like to remind Council that this Amendment is merely changing the requirement from a blue flashing light to an amber flashing light and the requirement has been there for years and it has not presented any problem. We merely wanted to put it in line with the other Provinces and make it an amber light which is much more easily seen by the public than a blue light. Whether you should be required to put it on your own private vehicle is another matter that we could treat separately from this Amendment...the whole policy of flashing lights.

Mr. Taylor: Yes, Mr. Chairman, in this regard I think we are losing sight of the intent of the Ordinance and I think the intent is not to distinguish between what is private or personal and what is anything else. I think the intent is to provide a safety factor within the Ordinance. That is what the light is for. In relation to the cost of these things, I feel quite confident that the amber flashing lights used by DPW and the Territorial Government on their vehicles would not normally cost anything in excess of \$8.00 or \$9.00 at the very outside. It's a light bulb with a couple of plastic shields on either side, alternates, and so forth. I think the object of the exercise is to ensure that any vehicle, regardless of who owns it, that is doing construction, snow ploughing work or anything of the sort displays this light in order to assist in matters of safety.

Mr. Watt: I have one other question I would like to ask the Registrar of Motor Vehicles and that is is there any Territorial Ordinance in respect to the prohibition of using fog lights as headlights? You see these amber lights on several cars around and they are sometimes dull penetration lights, fog lights, high glare lights, and I know in some Provinces they are prohibited. They are a type of an obnoxious thing. There are not too many vehicles around with them in but every year I see an extra one or two vehicles with these particular type of headlights on them.

Mr. Clerk: Mr. Chairman, the requirement for lights is under section 49 of the Motor Vehicle Ordinance and it states "not less than two head lamps, one at each side", etc., etc. The only restriction that I know of is the spot light. I don't think fog lights are prohibited in the Ordinance.

BILL #9 Mr. Watt: I would like to ask....section (a) of 41, "not less than two headlamps, one at each side of the motor vehicle at the front, each of which projects a white light for a distance of at least three hundred feet in front of the motor vehicle". Is that section still in force....a white light....does that mean an ordinary white light...it doesn't mean an amber light?

Mr. Clerk: It merely means that you have to have two headlights which cast a white light, but then if you take a look at section 46, you will see the restriction "No vehicle shall carry more than one spotlight, searchlight or other auxiliary lamp and the light from such spotlight, searchlight or other auxiliary lamp shall be directed towards the right of the travel portion of a highway".....so that if they have any auxiliary light, they can only have one.

Mr. Watt: Subsequent to this....I am talking where people have a substitute amber light for their headlight. There are several vehicles around like it....two or three cars... but they are in violation of the Ordinance....is that right?

Mr. Clerk: No, I wouldn't say so because they have two headlights which cast a white light. The amber lights are on the other two.

Mr. Watt: No, these are just two headlights...some vehicles that are made with just a spot for one headlight on each side, and they've got amber lights in them.

Mr. Clerk: I would say then that they were in violation of the Ordinance as they must have two headlights that cast a white light....at least two.

Mr. Chairman: Any further discussion on this Bill, gentlemen?

Mr. Boyd: Mr. Chairman, I would move that Bill No. 9 be passed out of Committee without amendment.
Mr. Shaw: I'll second that Mr. Chairman.
Mr. MacKinnon: Mr. Chairman, I am not quite clear on this chauffeur's licence and with regard to the question I have already asked....say, for instance, a young person of sixteen owns a vehicle and, for instance, is hauling water say to a diamond drill outfit. Will this deny him the right from now on to have a chauffeur's licence to operate his own vehicle.

Mr. Clerk: This will deny him the right to have a chauffeur's licence for his own vehicle if he operates as a chauffeur. It doesn't matter whether he's got his own vehicle or somebody else's vehicle. He cannot get a chauffeur's licence until he's eighteen. This has been the policy for years. It isn't anything new. It is merely removing a discretion which the Commissioner had which he was disinclined to use so I don't think we would be creating any new hardship for anyone.

Mr. MacKinnon: Mr. Chairman, in other words it would not put the young fellow right completely off the road. He could operate without a chauffeur's licence and just have an ordinary driver's licence. Is that right?

Mr. Clerk: Yes, he could operate his vehicle with an operator's licence as long as he did not operate it as a chauffeur. He couldn't go and hire himself out as a chauffeur.

BILL #9

Mr. Southam: Well, as I understand this section that we are arguing about, I take it that it would be one thing if he was carrying passengers and if he was hauling water that is something else.

Mr. Clerk: No, there was no discretion. The Commissioner could not issue a chauffeur's licence to anyone under the age of eighteen if they were to drive a vehicle carrying passengers. There's no change there.

Mr. Watt: Mr. Chairman, I am going to propose an Amendment to subsection (4) that "no person shall operate for hire on a highway" and I think this would relieve the pressure of anybody ploughing out their own driveway. I am proposing this as an amendment to subsection (4) that after the word operate, we add the words "for hire".

Mr. MacKinnon: I'll second the Motion.

Mr. Chairman: Councillor Watt, I will have to rule that Amendment out of order as there is already a Motion on the floor to move this Bill out of Committee without Amendment. It has been moved by Councillor Boyd, seconded by Councillor Shaw, that Bill No. 9 be reported out of Committee without Amendment. I must, after giving good time for debate, call the question.

Mr. Watt: Mr. Chairman, I would like to ask if Mr. Shaw and Mr. Boyd would withdraw the Motion so that this Amendment could be inserted. I don't want to take up the Council's time but I think that this would make it so that a lot of little people aren't violating the law.

Mr. Shaw: Mr. Chairman, I seconded the Motion because I thought that it was pretty well in agreement. If there is a matter of some clarification or more debate on this particular article and if Councillor Boyd wishes to withdraw his Motion, I would certainly go along with it. I think we should give it every discussion and if there is something to iron out, let's iron it out now.

Mr. Chairman: What is your decision, gentlemen?

Mr. Boyd: I am not sure, Mr. Chairman, if what Mr. Watt is suggesting has any real effect one way or the other. I don't know yet, but if it means co-operation, I will withdraw the Motion for the time being until you discuss this point.

Mr. Chairman: Does the Committee agree that this Motion be withdrawn at this time.

All: Agreed.

Mr. Chairman: Gentlemen, I will call a short recess.

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Wednesday, November 9, 1966 11:00 a.m.

Mr. Taylor: Well gentlemen, we will call the committee back to order and we will deal with Bill #9 and what is your pleasure BILL #9 in respect to this Bill?

Mr. Watt: Mr. Chairman the amendment has been made by myself and seconded by Councillor MacKinnon and for your pleasure Mr. Chairman it has been written out and the purpose of the amendment is to eliminate somebody that is plowing out their own driveway. Driveway, which is clearly defined under the section highway as being that the public can use it. It would intend to eliminate their having to put one of these amber lights on. I can name a dozen of these myself which would be very difficult to put one of these amber lights on. Some of these smaller vehicles have no cabs on them and some of them are diesels or small generators and I don't think it would cause any hardship, anybody that, was doing any amount of work like this for somebody else, hiring out his vehicle one way or another then he would have to have one of these. This is the simple addition of the words for hire, you can either name them or not, but I can name a dozen of these machines in my own area that this would affect but some of them would have difficulty in putting these lights on. I think that we wouldn't lose any safety factor. It wouldn't endanger anybody's life or cause any accidents or be part of it but if you eliminate vehicles that were used for yourself or that people use for themselves -- you can either vote for it or against it.

Mr. Taylor: Gentlemen, the motion that I have is to amend Bill #9, moved by Councillor Watt and seconded by Councillor MacKinnon that Section 3. Subsection (3), after the word operate the words "for hire" would be inserted.

Mr. Shaw: Mr. Chairman, discussing the motion, would this then indicate that a person who wasn't doing it for hire could go on the public road on the q.t. without following the Regulations. It doesn't say anything about private roads as long as the person wasn't doing it for hire they could be on public roads does it?

Mr. Taylor: To whom are you directing that question?

Mr. Shaw: To the mover or seconder of the motion.

Mr. Taylor: Mr. Watt.

1600

Mr. Watt: There is no intention-my intent of the amendment is not that a person could go and plow on public roads or work on public roads. It is just common sense that people just don't do that without getting paid for it. It costs money to operate these machines. If they got paid for it either one way or another it stands for fact then that it is for hire and you would have to have these---what I am aiming at here is somebody that has a vehicle of their own and usually these are pretty small machines to plow out their own driveway. The definition of highway is a public or private roads that the public use such as hotel operators. These are people that have these little machines that are doing work for themselves only and as soon as they start to do it for somebody else then they are usually transporting the machine on the highway from A to B but they are still covered because they are hiring out to neighbours.

Mr. Taylor: Mr. Shaw did you have anything to say?

Mr. Shaw: Yes Mr. Chairman, to follow this up, this amendment would mean that a person operating a lodge that had snowplow equipment could go on the highway without having amber lights or flashing lights or warning lights. On the public highway because they have to go on the highway to get from one place wherever they happen to be either public land or private land. It would also exclude the Territorial Government or the Federal Government because they are not hiring hiring their vehicles, they are doing it for the people. There is no hiring business involved and I must look at it from a strictly legal point at this time as that is the way it is going to come out in the end. I would ask that question of the mover and seconder of the motion. Mr. Chairman, that this does not include Territorial vehicles strictly by law?

MAR MADE START

Mr. Taylor: Mr. Watt?

BILL #9

Mr. Watt: As far as I can understand we have in our budget every year the write-off from one department to another for the hiring of equipment. In effect this is a hired vehicle but it is not clear enough there if the Federal government and the Territorial government violate an Ordinance. We should clear that point up, add something to specifically state this. The other point is that if I am plowing out my driveway or Mr. X. is plowing out his driveway can he turn around on the highway or sidestreet. Could somebody up here plow out their roadway or their driveway or their roadway where their car is or their parking spot but you have to turn around on the road. I would say that they would have to be able to go on the highway but not work on the highway. You are just plowing out your---I have got a parking lot in town and I am either loading stuff or hauling snow away or just plowing it out of the way for the time being and I would have to be for a couple of minutes turning around on the highway but you are not working on the highway. I don't think the police would pinch a fellow for that, for plowing out my own driveway or for catching Mr. X. for plowing out his parking spot or somebody else taking the snow off his driveway. There are a lot of these little vehicles around, I can name fifteen of them right around Whitehorse. The garages have them and these little machines are used and it would be difficult to put a flasher on them as most of them do not have cabs on them. You could have one on the back and one on the front and it is still not legal because it is too little. But if the committee doesn't wish to have this little detail added that is fine, vote against it. I don't want to waste all day on it but I would like to alleviate a little inconvenience for some people that are using these vehicles for a small specific time for their own use. We are causing unnecessary hardship and possibly i. itingcourt proceedings against them.

Mr. Shaw: I can quite see Councillor Watt's concern although I think we should look back into the past and see that it isn't creating any problems because we are going from a blue light to an amber light and by having this amendment it would appear to me to creat more problems than we have actually solved. I would ask the Legal Advisor, Mr. Chairman, if I am correct in assuming that when we have this off the highway business that this would exclude Territorial government vehicles and machines that clean out lodges along the highway and so on. If he could answer that question.

Mr. Taylor: Mr. Legal Advisor? way and so on. If he could answer that question.

Mr. Legal Advisor: Mr. Taylor I must apologize, I wan't able to get all that the Councillor said. There is a long distance call they want me to take so I am caught between two fires at the moment. I wonder if it could be repeated.

BILL #9

Mr. Shaw: Perhaps you could attend to your long distance problems and then come back to Council.

Mr. Taylor: Mr. Southam would you take the chair? Mr. Chairman in debate on this subject I can only state that in my opinion this section of the Motor Vehicle Ordinance is put here in the public interest and it is a matter of public safety that it concerns itself with and it seems to me that the vehicles in question are required to have a flashing blue light or amber light or whatever it may be for the putpose of indicating it's position in relation to other vehicles. There is a matter of safety here regardless of who owns the vehicle or who drives it or for what purpose the vehicle is used. This light is placed as a warning and I think to detract from this would be detracting from the real and true intent of this section of the Motor Vehicle Ordinance. This gentlemen is a matter of safety and I personally cannot go along with the amendment. This would deter from the safety aspect that we are trying to achieve.

Mr. Legal Advisor: May I speak from here? I have a long distance call from Ottawa and could I suggest that I am aware now of the Councillor's problem and may I be given time to study it and come up with a formula which meets the problem with respect to the points brought up by the Councillor from Dawson City which do carry some weight and I would like time to study it with the Registrar of Motor Vehicles. I am aware now of the point and I will try and clear it.

Mr. Boyd: Well Mr. Chairman, before he does anything I think he should know what Council wishes. So when we decide what we want then it is time for somebody to come up with something. I would suggest that you go take the phone call and when we have made up our minds.....

Mr. Legal Advisor: If that is your wish.

Mr. Taylor: Is there any further discussion on this amend-ment?

Mr. MacKinnon: Mr. Chairman I would just like to mention that to me there is a lot of this discussion doesn't make too much sense. Now we are talking about snowplowing vehicles, you have very small vehicles plowing snow and you want lights on them. At the same time you can go with a cat and plow the same snow without any form of lights. Is that right?

Mr. Taylor: To whom do you direct that question to, the Clerk?

Mr. Clerk: Well, I believe that he is quite right. I do not believe that a cat is a motor vehicle under the Ordinance.

Mr. Watt: Mr. Chairman, this is a very simple amendment to a very simple problem and all I am referring to or all I am trying to cover and it seems objectionable and that is that we are exempting both governments and obviously they should be covered under the Ordinance and if you added these snow-removal vehicles and other construction vehicles operating then they should have lights. But what I am trying to exempt is say somebody who has a lumberyard who has a little machine there and they plow their lumberyard off that may be littler than this room and they have to plow it out around the fence into a vacant lot beside them and now they have to

BILL #9

Mr. Watt continues..... install this machinery and they could be on a sidestreet some place and it could be a parking lot that they are taking this stuff out of or it could be little machines that are often used around the Federal Building here. There are dozens of these around. I could name ten of them right around here. What we are doing is that these people will very unlikely not install these lights and they will be in court. This is the most logical place for them to be in court and it is unnecessary. If I thought it was going to affect the safety of either vehicles or pedestrians or anything like that I certainly wouldn't have made the suggestion at all but if the amendment is defeated fine and then we can go on to something else. If it is passed then okay, it is not a national thing if two people get taken into court. I don't see any big hidden effect to this. It is a simple thing for the little guy who plows his own driveway and you can get little machines in the catalogue for \$300 to plow out around your own driveway and you have to plow it out on the street or around the corner or into the ditch or something like that. These people are all going to have to put these flashing lights on and in trying to eliminate a problem like that we are making a mountain out of a molehill.

Mr. Boyd: Could I ask Mr. Watt what these vehicles---let's assume you have one of these vehicles and you have two properties and in order to get from one to the other you must travel the highway--any highway that is used by people, are you suggesting that no lights are required while you are on the highway? On the highway to get from one property to the other? Also, let's assume you have a good friend and you want to plow out his driveway and you want to get to his place by use of the highway you are not going to charge him, you know how this works, is he not going to be required to have lights while he is travelling on the highway in a snow-storm?

Mr. Watt: In answer to that question if that concerns myself I have to travel from one place to another but I will have a flashing light anyway. If I were just doing my own it is no more dangerous taking a machine up and down the highway in the summertime as in the wintertime if I am not using it on the highway. It is just a motor vehicle--you are taking a simple motor vehicle from point A to point B. But what I am specifically getting at here is that I know a couple of little station wagons, now I know about four of them, with a little blade on them and a couple of them have no cabs on them. They are owned by garages but they plow out their own driveway and you are going to make these people put on flashing lights. This is what I am aiming at. I am not meaning myself, I will put one on anyway. Anybody that does this for several driveways they will have to put them on too. But, what I am aiming at is that somebody has a little machine to plow out his own driveway then he can be exempt from this, this is all I am aiming at. There are two of them a stone's throw from the Federal Building. This little machine has a little blade that even lowers and raises and some of them are homemade. There is one that has a wooden blade that he plows out his own lumberyard with and he just pushes it around the corner and now he would have to have a flashing light on top or a special light on the back and front and he doesn't do that much. He could likely rent equipment to do the same job for \$50 or \$60 a year but he shouldn't have to, he has already got the stuff and the convenience of having it. As far as the cost, a gentlemen got one the other day and I asked him 《大学》(1965年),1965年,1

Mr. Taylor: Gentlemen, we have spent considerable time in relation to this motion to amend Bill #9, what is your pleasure in this respect.

Mr. Shaw: Mr. Chairman, I think that there are several conflicting things. For example this Ordinance has been in effect for several years and hasn't bothered anyone. In other words, they only had to have a blue light and all we are doing now is changing it to an amber light. It might appear that in the past the law hasn't been strictly maintained. Obviously it hasn't if there are people running around without any lights on. If the law is upheld as Councillor Watt has brought up the only people that argue will have to get into trouble. The law is there, we make the law and the law should be made that it can be upheld within reason but within reason of the law not whether you think, oh we won't bother with that. If the law says that is should be upheld or if it is not it should be rectified and thrown out, one way or another. The Legal Advisor has indicated that he can provide something that will take care of this problem and I myself think that we should leave this in abeyance until it comes around and we can get on with some other business. I am not in agreement with this amendment but I can also see that Councillor Watt has a valid point.

Mr. Thompson: Question on the amendment.

Mr. Taylor: Shall we proceed. We have a motion and I would like your direction.

Mr. Shaw: Mr. Chairman, I suggest that we take a while and leave the whole thing in abeyance and something else came up and I can't agree with that amendment but maybe everyone else can but when the alternative came up then it can be dealt with.

Mr. Taylor: Gentlemen, I do have a motion to amend this Ordinance and I must have your direction to deal with this.

Mr. Watt: I agree with Mr. Shaw that there is a loophole when the government can operate without these lights and I think that an amendment should be added or covered. The only thing is to exempt the little guy and as far as the argument it seems to me to be based on that they haven't been enforcing this in the past and it may or may not be enforced in the future. If they enforce it against one then they are going to have to enforce it against everybody. That same argument could be that I don't have to get a flashing light because they haven't enforced it in the past. Now I have heard this same argument before which affected. same argument before which effected the speed sign on the Two Mile Hill. A request was made to have it lowered and the answer that was given then was that oh it wouldn't be enforced anyway. You have to speed up to get through the zone otherwise you won't make it, but as the R. C. M. P. Inspector has left and another one comes along then pretty soon this is where all the traffic is picked up so we have built a speed trap. But the argument at that time was that it wouldn't be enforced anyway but now it is being enforced and our revenue has increased for it. Any legislation should be good and fair but I am not going to dwell on this further, I will leave it with the Council.

BILL #9

Mr. Boyd: I see Mr. Watt's point. My thought is that these vehicles will be on highways. If you can overcome this, if they are going to stay in their backyard fine, but I am assuming that they don't stay in their backyard and they must use the highway and if they are not going to be on the highway legally that is my concern.

Mr. Taylor: Gentlemen, we have spent considerable time here and I think we have reasonably approached all aspects of this question. How do you wish me to proceed with this amendment.

Mr. Watt: I would just like to answer Mr. Boyd's question and that is that when they are on the highway and if they go to work as a vehicle on the highway then they have to be covered but if they are going to A from B with these little pick-ups with these little blades that are no wider than a bumper then they wouldn't have to have it. But they are not plowing snow on the road.

Mr. Taylor: Gentlemen, the motion as I have it, moved by Councillor Watt and seconded by Councillor MacKinnon that Section 3. subsection (3) after the word operate the words "for hire" be inserted. Question has been called. Those in favour please signify and those contrary please signify. The motion is defeated.

MOTION DEFEATED

MOTION DEFEATED

Mr. Taylor: What is your pleasure now gentlemen in relation to this Bill?

SKIDOOS

Mr. Taylor: Gentlemen, is there anymore discussion on this Bill or how do you wish to proceed.

Mr. Shaw: I must agree with Councillor Southam. I must agree in lots of respects but for example at Old Crow we have quite a lot of these skidoos, in the Stewart River area and up the Yukon there are a lot of trappers who go up the trapline with their machines and I would hate to say to these fellows that they have to pay three dollars for running that in the woods and you have to get a licence and insurance. They are bona fide trappers and I can see Councillor Southam's point but I would submit Mr. Chairman that a lot of this is enforcement. One of these skidoos if it is on the highway is immediately subject to a licence or apprehension for running contrary to the Ordinance. They can always get a truck to take them to a point where they are going if they are going trapping and there is no excuse for these vehicles to be on the road or highways without a licence. Therefore this Ordinance we have here covers this. I would say Mr. Chairman that it isn't the Ordinance that is weak but that it is the enforcement that is weak. I think I shall direct this question to the Registrar just to ascertain this point. If a vehicle is on a public highway and travelling that immediately it would be subject to charges?

Mr. Clerk: Yes Mr. Chairman, it is a motor vehicle if it is used on the highway. If it is not used on the highway it is not required to be licensed or insured, the same as a dog team. You don't licence a dog team however I have seen them on the highway.

Mr. Shaw: If that vehicle is travelling on the highway then it is immediately subject to licensing?

Mr. Clerk: Yes it is Mr. Chairman.

BILL #9

Mr. Taylor: Gentlemen, what is your pleasure?

Mr. MacKinnon: I would like to ask Mr. Clerk one question, if one of these snowmobiles makes a trail in through the bush and he comes back on the same trail can that be considered as a highway?

Mr. Clerk: I would say no, Mr. Chairman.

Mr. Southam: I agree with Councillor Shaw but not all the time, there is nothing in here where it says these things are to be licensed when they are travelling on the road. Can you show me where it is, therefore we should have something definite.

Mr. Shaw: Could the Clerk read the section that pertains to this in relation to travelling on the highway.

Mr. Clerk: I don't know whether I can come up with that right away or not. It depends on whether the vehicle is travelling on the highway. The same thing applies to an automobile or a skidoo.

Mr. Southam: You said before public highway, would this not mean the Tote road.

Mr. Clerk: Any vehicle not in use on a public highway doesn't need a licence. Any vehicle on a public highway does need a licence.

Mr. Watt: The definition of a highway includes any thoroughfare, street, road parkway, viaduct, parkway, alley, or any other place whether it is public or private.

Mr. Taylor: What is your pleasure gentlemen?

Mr. Boyd: I am going to try and find a word that will cover all your thinking and yours and yours or we will be here for ever. I would move that this Bill #9 be passed out of committee without amendment.

Mr. Southam: I second it.

Mr. Taylor: It has been moved by Councillor Boyd and seconded by Councillor Southam that Bill #9 be passed out of committee without amendment. Are you ready for the question? Are you agreed with the motion? Any contrary? I declare the motion carried.

MOTION CARRIED

MOTION CARRIED

Mr. Taylor: What is your pleasure now gentlemen?

Mr. Shaw: Can we take up the Municipal Bill?

Mr. Taylor: Mr. Clerk what is this Bill referred to?

Mr. Clerk: The one you are discussing right now is Bill #10.

Mr. Boyd: In regards to the time are we going to start on this Bill?

Mr. Taylor: Gentlemen do you wish to start on this now? Do you wish to wait until the afternoon session? I would like to also enquire gentlemen if you need any witnesses in regard to this Bill?

Mr. Thompson: I think that the Territorial Treasurer should be in attendance Mr. Chairman.

Mr. Taylor: Is there anyone else you require, Mr. Clerk will you notify Mr. Treasurer.

Mr. Commissioner: Mr. Chairman, in this regard I would be very happy to call the Treasurer if we need him to back up the answers that I give. I would appreciate the opportunity of supplying Council with the required answers if this is satisfactory to the Council. I think we should put him on notice that he may be required.

Mr. Shaw: I would like to draw the attention of the committee and possibly the Commissioner in relation to the Municipal Ordinance which we are abour to undertake later on—that is #3, but I would like to draw your attention to the situation where we have the municipalities where there has been a change in the fiscal year. A change has been made in the fiscal year and I think you are aware of the impact that these things have. Whereas the municipalities are in a position now where they either have to tax for fifteen months of the year or let a quarter go by. There had been an Ordinance passed at the last Session and with all due respects it didn't have the consideration that it should have had and the municipalities, the Municipality of Dawson is faced with having to operate for three months without having a way of collecting any tax for those three months. There are ambiguities to this and before we tackle this Municipal Ordinance I wonder if all the facts could be gotten. Maybe Mr. Commissioner could get the facts mentioned.

Mr. Commissioner: I would be very happy to Mr. Chairman.

Mr. Taylor: I will now declare a recess until two o'clock this afternoon at which time we will tackle Bill #10.

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n de la companya de la comp Wednesday, November 9, 1966. 2:00 p.m.

Mr. Chairman: At this time I will call the Committee back BILL #10 to order and I will proceed with the reading of Bill No. 10, An Ordinance to Authorize the Commissioner to Lend Money to the City of Whitehorse for the Construction of Municipal Works. (Reads Bill No. 10). You may proceed with the discussion in this respect.

Mr. Commissioner: Mr. Chairman, I am prepared to speak on this.

Mr. Chairman: Mr. Commissioner, would you proceed.

Mr. Commissioner: In effect, gentlemen, what you are being called upon to do here in Bill 10 is give effect to things which you have in principle previously approved. In your Votes and Proceedings for the First Session in 1966, Sessional Paper No. 61, signed by Mr. Cameron, "You will recall that under the Memorial Centennial Grants Program the City of Whitehorse was to receive an outright grant of money for the construction of a City Hall and Fire Hall complex. The total amount of the Memorial Grant for the Yukon is \$250,000 which was broken down to \$175,000 for the City Hall complex and \$75,000 for a new museum. The plans for these structures have been approved by the Centennial Commission and the money for each project would be forthcoming as construction gets underway. The City architects, however, have just informed the Council that their estimate on the construction costs of the City Hall-fire complex is \$250,000 or in other words \$75,000 more than the Centennial grant allows for this one structure. As there is no further Centennial Grant money available, the only alternative appears to be for the Territory to lend, on a debenture loan basis, the necessary additional money to the City. As the architects' quoted price is only an estimate, there is a good possibility that the final costs might be even higher than anticipated. It is, therefore, felt that in order to protect themselves, the City should actually be prepared to borrow up to a maximum of \$100,000. In order to do this they must pass a money by-law which also requires a plebiscite involving a 2/3s majority of the taxpayers in favour. Should they receive the majority on such a plebiscite the City would then issue debentures as required, which would be purchased by the Territorial Government and the loan monies would be repaid to the Territory over a pre-determined period of years at a pre-established interest rate. We have discussed this subject with the Mayor and City Clerk, who have agreed to do everything possible to raise between \$35-50,000 from their own funds, in which case, by matching their contribution, the actual loan monies would be considerably reduced. However, at the rate the building costs are presently escalating, there is a better than even chance that the final cost figure will be above that estimated by the architects and therefore, we feel that to be on the safe side, \$100,000 should be made available for them to draw upon. I would appreciate Council's consideration of this request in principle and if you so agree, a supplementary estimate for the actual amount borrowed will be placed before you during Fall Session of Council. Should you wish to discuss the subject further I shall be happy to do so." You follow this up, gentlemen, on Page 1058 of your First Session, "Moved by Councillor Taylor, seconded by Councillor Shaw, that Council agrees in principle with the recommendations contained in Sessional Paper No. 61. At that point the Administration contacted Ottawa and approved as follows:

BILL #10

Mr. Commissioner continues:

There are several things that are involved in this but basically speaking capital additions were approved by Ottawa as per Sessional Paper No. 61, Centennial Loan, City of Whitehorse, \$100,000 so your Council's approval in principle was given. The Federal Government's approval was given to the handling of the money. The City of Whitehorse went to the voters under their City By-Law No. 188 and requested permission to borrow \$100,000 for the purpose of the completion of construction of the City Hall and City Fire Hall Complex in the City of Whitehorse. The assent of the ratepayers to this was received on the first day of June, 1966, following which third reading was given by the City Council of Whitehorse. If any of you gentlemen wish to check on this for your own personal information, they are all available here. At the present state of the financial movement, for your information Mr. MacKenzie has supplied... we have Federal Grants for the City Fire Hall, \$175,000.... Museum, \$75,000, and the proposed Territorial loan of \$100,000, making a total of \$350,000 in available monies of which \$201,513 have been advanced against contractor's claims on the City Hall-Fire Hall complex and \$36,614 have been advanced against contractor's claims on the Museum. On the basis of this \$350,000, there would still be money to take care of claims for \$73,486.60 on the Fire Hall complex and \$38,385.10 on the Museum complex. This is basically what this Bill No. 10 is designed to do - to give effect to the principles, etc., that you have already endorsed.

Mr. MacKinnon: Yes, I would like to ask the Commissioner if he would mind to repeat the figures with regard to the Museum.

Mr. Commissioner: Yes. (Repeats the Museum figures).

Mr. MacKinnon: The reason I was interested in this was I received a letter from the President of the Historical Society requesting \$1100 from each Member at the table to complete the Museum from their recreational fund. I was just wondering if anybody else had received the same letter.

Mr. Watt: I would like to ask Mr. Commissioner if he is familiar with the letter from Mr. Thurber, President of the Historical Society..."The possibility of obtaining financial support in this way has been discussed with the Financial Advisory Committee of the Council and the Yukon Administration. After the recent meeting of the Financial Advisory Committee with the Administration, it was agreed that the only possible way that the Territorial Government could provide financial support for the Yukon Historical Society was through the Community Development Fund of the Council members. Mr. Fingland has assured the Society that if you were prepared to assist us in this endeavour by assuming an equal responsibility with other Members of Council for the outstanding balance payable to the contractor, he would be agreeable to obtaining the Committee Funds from next year's allocation to the Community Development Fund for any commitment you could postpone until next year." I am completely confused about this. The bid was \$99,000 and to me it appears that the contractor is going beyond his bid so he is asking us to make up the slack. This is the impression this letter is giving me. I have been given to believe from this letter that the contract was taken at such and such a price, you had several bidders on it, the low bidder started the job and then comes crying around about not having enough money so we are just throwing in more money for the same job. There's no point

BILL #10

Mr. Watt continues:
in calling for bids. We may as well make it a cost plus
job if this is the case. I may be wrong in my interpretation. Could Mr. Commissioner clarify this? I would
gladly give you this letter....

Mr. Commissioner: Without looking into it, Mr. Chairman, I am afraid I can't give you very much light on the subject but I am certainly quite prepared to see that you are provided with any background information that you require.

Mr. MacKinnon: Mr. Chairman, I believe the matter is quite explanatory. The original bid of \$99,000 was turned down. The bids were recalled and it was again at something like the \$83,000 mark.

Mr. Boyd: Yes, the letter is quite explainable. There was only \$75,000 voted. If you recall, the bid in the first place was for in the neighborhood of \$137,00 or something like this. The Historical Society went back to the planners to see if they couldn't get a building that would be considerably less than this so after doing it, they came up with the figure of \$83,000 where at the time only \$70,000 or \$75,000 was bid. But, rather than hold up the project, it was deemed advisable to go ahead thinking that eight or nine thousand wouldn't be too much to expect to be able to find somewhere. There is an extra thousand dollars or so in there that is mentioned for some purpose. This was a case of where they thought they knew where they could buy logs of sufficient category for it and it turned out that when the logs were delivered they were not quite good enough and rather than put up something to stand for many, many years of an inferior appearance and so on, they went as far as Quiet Lake to get timber of an appropriate size. I think that's where the extra money comes in.

Mr. MacKinnon: Mr. Chairman, I would like to ask Mr. Boyd if the getting of these logs did not go for public tender.

Mr. Boyd: It went for public tender, quite definitely.

Mr. Shaw: Seeing that this letter has been injected into Council proceedings, I may as well go along with it. I thought it was more or less left to the individual to give his opinion to the Historical Society. We seem to have quite some difficulty in the Yukon Territory in relation to finances. The Federal Government starts forth on projects and it is quite customary that when they start on a project for a million dollars, it ends up by costing two million dollars and we hear a considerable amount of criticism in relation to this by the people of the Yukon saying that if we could have worked this out ourselves, this would have been kept down to the correct expenditures. I have heard that on many occasions. Well, it appears to me that that wasn't too valid an argument in relation to what is happening, or has happened, in the last year or two in relation to this Grant for the Museum and the City Hall Complex. The cry is that building costs have escalated and it costs us so much more and we have to get so much more money. There doesn't seem to have been any thought, prior thought; to cutting the garment according to the cloth. In other words, we can't have quite what we would have liked to had but we want something like we had figured on at the cost of so many years ago so we have the results before us now....\$250,000 which is allocated to the City of Whitehorse. It's a very large amount. It's allocated to the capital of the Territory as the same type of a system is allocated to the Provinces, except in a smaller amount in relation to population. This, I think, is a good thing. I don't see anything

BILL #10 Mr. Shaw continues:

wrong with it. I think that the City of Whitehorse is very fortunate in being able to get a grant of a quarter of a million dollars for building projects. I am happy to see that they are going to have a decent City Hall, but I honestly can't see why it has to cost \$350,000 when they could have possibly got sufficient from the amount that they had available to them from this Fund plus this \$40,000 I believe that they have in some type of a Trust Fund or Building Fund or what you may call it. The Museum....we have two Museums in the Yukon that I am aware of. We have one up in Dawson City. We have one down here. The Museums are very similar in content and size. The Museum up in Dawson is one that has been built up only since 1959 because their Museum which had a tremendous amount of stuff in it was completely gutted by fire. There wasn't a thing saved. We have had to get by by using an old Administration Building in which the ceiling is falling down and various other things are happening to it, however that was the best we could get so we had to be content with that. The Territorial Government recognizes the fact that Museums are good things in the Yukon Territory so they make a grant to the Museum in Dawson of \$500.00 and an equal grant to the City of Whitehorse of \$500.00. So we in the Northern area have decided that we must get along with what grants we get from the Government, plus what we can raise in revenue from our own efforts. We have been doing, are doing, and have managed to get along very nicely. Now, all of a sudden, in Whitehorse they have a windfall of \$75,000 for their Museum at which time I didn't make any objections and still don't make any objections but, Mr. Chairman, I think that surely an effort like that....that the money so allocated or given....a windfall from Santa Claus of \$75,000. that someone, somewhere along the line, could have kept this budget and constructed this building to cover that \$75,000 instead of doing the identical thing as what has occurred with the City Hall. That is the point that I don't understand. I think it is very unfortunate that they have got themselves into a condition as such and they are calling on the other areas and I must say publicly that I am very sorry that, although I am most sympathetic to the Historical Society. that I cannot concur with the letter. We have a Bill here to allow the City to borrow \$100,000 for this. Well, that's These people in this Community are prepared to borrow it and are prepared to pay it back. Everything is perfectly legal and I have no objections to agreeing with this particular Ordinance and allow them to have the money but it does, as I have stated, Mr. Chairman, it seems sad to me that in cases like this that the garment isn't cut, as I have stated before, according to what money they have and I think it would have obviated a great deal of expense.

Mr. Boyd: Well, Mr. Chairman, I appreciate Mr. Shaw's point, but, as you know, something was started two years ago and things were all cut and dried and more or less agreed to as just exactly what we are dealing with here in principle. But, in the meantime, what was in existence then costwise is no longer applicable. It is no longer applicable after about two days after we plan and accept to do something. A shining example as to what can happen is your Il% tax on building supplies - Boom! Over night! The whole issue was changed. It would mean everybody cutting back. Stop everything which Ottawa didn't do with all their Federal. They went ahead and made the monies available so this is the bind we are caught in and it seems to be a perpetual one. I don't like it any more than Mr. Shaw does but it is what is happening.

Mr. Shaw: Might I ask a question. Was there a 11% Sales BILL #10 Tax on the logs?

Mr. Boyd: I am not in a position to answer that Mr. Chairman except that if it is manufactured in any way such as making it from a log to a two by four or a timber squared, there is a sales tax.

Mr. Shaw: From a log to a log?

Mr. Southam: Gentlemen, it seems to me that we are off the track here. We started to discuss a Bill which authorizes the Commissioner to lend \$100,000 to Whitehorse. I don't see where the Museum enters into this thing at all at this particular moment. However, to answer Mr. Shaw, any log, once you stick a saw into it....I am quoting from the U.K.H.M.... you pay tax at ll%. You frame it for square sets, ll%. You make a ladder, ll%. This is where your money is going. Also, gentlemen, your building costs have gone up 35% since 1965 at which time your Centennial thing started - 35% and I think I am low at the present moment. I think it's nearer 45%. Now, gentlemen, I am not going to argue about your Museum at this particular time. I'll have something to say on it later but at this time I think that we should stick to this Bill and either pass it or throw it out. We have agreed to it in principle and I think this is the thing that we should stay with and not go around in circles.

Mr. Watt: Mr. Chairman, the part that I object to....the subject of this letter was brought up....it appears that we are accepting the principles in both these contracts here... one particularly, the Museum one particularly, but I may be wrong and the Commissioner could possibly straighten me out if I am. But, what we are doing is calling for tenders. We are accepting the lowest tender usually when it is acceptable and then the contractor comes crying to us and says...three months later..."I need another \$10,000" and we are handing it to him. It appears to me that this is what is happening and I think it is wrong in principle. Not just in the Museum. Not just in the Civic Center or the City Hall but in all contracts. If this is the case, I think it should be avoided. One other point I wanted to make is that when we discussed this at the last Session and approved this in principle, at that time there was a lot of talk throughout the Provinces of all the Centennial projects costing more money than they had anticipated. So all across Canada, the Federal Government was upping the grant that was originally allocated to each Province. At that time I suggested that we go back to the Federal Government and inquire about our grant being increased in accordance with the Provinces on the same basis... increase the grant to Provinces 10% to 15% and the same thing should be done here, but I don't think that was persued at all. I gave that argument then and I think we should have done this for this whole Museum, City Center complex. If the Provinces grants were increased 10% or 20%, this is \$20,000 to \$40,000 to \$50,000 - a \$200,000 bill, that's \$40,000 at 20% that we are entitled to because we are part of Canada. We pay Income Tax and every other kind of tax. It's too bad that this wasn't persued a little bit further and I would like to see if the Commissioner can inquire into I hope my fears are wrong with respect to the contract and this money being added on two to three months after the tender was called. .. we are just handing out more money for the same job. It's not just the taxpayer that is getting hurt, it's also the other contractors. They feel kind of bad about this. If you are a contractor and your bid is a

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BILL #10 Mr. Watt continues:

couple of thousand dollars higher than the lowest contractor and we just add \$10,000 on to his so you would have been lowest. They have a legitimate complaint. I am hearing some of these complaints. This is why I am bringing this up.

Mr. Boyd: I can clarify one point - the log situation that I mentioned. The logs were here and were required awful fast and the contractor who had the contract to get them merely went out and got the new logs when the Historical Society did not want to accept the logs...the logs that were already provided. So, that was a deal between the Historical Society in a sense. If the logs were going to cost a little more, the Historical Society said they would put the money up rather than use the logs they got...that were supplied...but to get back to this Bill, I was under the impression that this Bill we are dealing with in no way has anything to do with the Historical Society's contract. It doesn't enter into it at all - monies or anything else - just the City Hall and the Fire Hall and this is what we would want to deal with now as Mr. Southam said.

Mr. Chairman: Any further discussion on Bill No. 10?

BILL #10 COMMITTEE

MOTION

CARRIED

PASSED OUT Moved by Councillor Shaw, seconded by Councillor Boyd, that
OF Bill No. 10 be reported out of Committee without Amendment.

MOTION CARRIED

Mr. Chairman: Gentlemen, what do you wish to discuss at this time.

Mr. Commissioner: Mr. Chairman, if it was appropriate, I have some answers here for questions that were asked this morning.

Mr. Chairman: Proceed.

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Mr. Commissioner: First of all, I would like to deal with the question that Councillor Boyd asked concerning the provisions of a secretarial staff for the proposed visit of the Council to Ottawa to discuss the Five Year Fiscal Agreement, I would say, Mr. Chairman, that the Administration would be prepared to send some suitable staff member with Council to the meetings in Ottawa to make notes, take minutes and transcribe for Council's future perusal. I would not undertake to secure tape recordings of the proceedings, nor would I guarantee that everything would be of a verbatim nature to the extent that you are able to have here at Council, but I would certainly undertake to see that you have adequate secretarial staff along with you to give you a very good written rundown of the proceedings.

Mr. Boyd: That answers my question. I appreciate it very much.

Mr. MacKinnon: What about our Clerk, Mr. Commissioner. Could we have the Clerk? And a transfer of the country of the coun

Mr. Commissioner: Mr. Chairman, could I ask Councillor MacKinhon...i d the sect of the grader of a rest was equil to a sect of the control of the contr

Mr. MacKinnon: Yes, Mr. Chairman, I was wondering if we will have the Clerk to go to Ottawa, or just the Council.

Mr. Commissioner: Mr. Chairman, it is certainly not my intention to send any of our Administrative Staff along with you, except people from possibly my own senior staff who would be of value to you...unless there was some reason that I am not aware of why some of these people should be accompanying you.

SECRETARIAL STAFF RE OTTAWA TRIP

Mr. Southam takes the Chair.

Mr. Taylor: This is quite correct, Mr. Chairman. I think it should be clearly understood that Council are not going down to Ottawa as a Council because it is not our wish, I am sure not any one of us, that Council should ever sit outside of its own jurisdiction as they do in the Northwest Territories, but I think the assistance of a stenographer who may be able to assist in the taking of the notes and helping us to compile or maintain some record of our discussions there would be most useful indeed.

Mr. MacKinnon: Mr. Chairman, one more question. Mr. Taylor states that we will not sit as a Council. Just what will we sit as or what would be the procedure then?

Mr. Taylor: The matter of sitting in Ottawa is a matter of all individual Councillors going down to view the Plan as we have discussed earlier here some time ago and to give the individual opinions in respect of his own district and the Yukon as he sees it. We are not sitting as a Council in Session. We are there as individual Councillors.

Mr. Taylor resumes the Chair.

Mr. Chairman: Mr. Commissioner, is there anything further?

Mr. Commissioner: Yes, Mr. Chairman, we had a question asked this morning concerning the take over of the Department of Public Works Highway operation by Councillor Thompson. (Reply is set out as Sessional Paper No. 29). And, also part of that question, if I may continue, was concerning the move of possible office space and I have this to pass to you for your information, gentlemen. (Set out as Sessional Paper No. 30). I will table this for Council's perusal, Mr. Chairman.

Mr. Southam takes the Chair.

Mr. Taylor: Mr. Chairman, I cannot do anything but rise on this occasion to say this moving from here to there is very confounding but there is one thing I am unalterably opposed to and that is having the Legislative Council of the Yukon Territory kicked from pillar to post in this great shuffle of Administration. It has been suggested that this Council will move to occupy for various periods of time the Council Chambers normally delegated to the City and the people of Whitehorse, Municipal Council Chambers. I cannot agree with this. I feel that the City of Whitehorse is entitled to their City Council Chambers, to be used by themselves and only themselves as the seat of Municipal Government. I feel also that the Yukon Territorial Council should have its own Legislative Chambers because I certainly can't see the Territorial Council sitting in a Municipal Council's Chambers during the day and picking up all their goods and chattels and putting away all our documents and goods at night so that someone else could move in during the evening and throw their MOVE OF GOVT. OFFICES

Mr. Taylor continues:

papers all over the place. I can see nothing but confusion

and I don't think it speaks well of the respect in which

Council should be held to suggest that they should be kicked

around in this manner. I would suggest, as an alternative to

that, that we remain exactly where we are under these adverse

conditions rather than to be placed in a position such as has

been suggested, and I would also say that when either a proper

building can be either allocated or constructed, that a Chambers

befitting a Legislative Body be constructed and when not in use

by the Yukon Legislative Council be kept open possibly for pub
lic view but not be used by anyone else than this Legislative

Body whoever it may be. As I say, I am unalterably opposed

to occupying the Cambers of another regulating body.

Mr. Shaw: Mr. Chairman, I most appreciated hearing Mr. Commissioner's very detailed explanation of what was to take place but there was something omitted. He omitted to bring the Keno from Dawson City and the Palace Grand and we would have a complete reshuffle of everything then. I cannot understand....this is the most...well, it's a plan that practically leaves me speechless. We are having such a complete reshuffle of everything that I don't think anybody will know where they are going and then, in conclusion, in conclusion, Mr. Chairman, we will do this because right now we are mixed up on how things are. We will do this so we can get things organized for a future date. That is the situation. That is the prime situation. If it's unorganized now ... good heavens, what's it going to be like when all this thing gets into being where they are scattered all over the country. I feel that we are a Government of a Territory at the present moment. One of these days, we are going to be a Government of a Province. I don't suppose I'll live to see this but it is something that somebody can look forward to some place along the line and right now should be the time that plans are made so that the Territorial Government is laying out a plan for the seat of Government and for the office buildings and all the other ramifications that go with Government. The fact that some people are living at Riverdale and might have to go to Takhini to work is not something, I don't think, that should be of great concern to the Government. Here is the job. It's your job to get there and get home....the same as it is our job as representatives to come from Dawson or Watson Lake, or Mayo, or some place else. If this plan goes into being, I am afraid that we are going to have absolute chaos besides the amount of expenditures that we are going to have involved in this by paying rental on all these buildings. For example, right now, Mr. Chairman, we are paying a big fat rental. I am not inferring by this that there's anything wrong in it. It's business as business is, but we have quarters for storage of liquor right in main downtown Whitehorse. You don't need a fancy great big building in a high rental district. That is something That is something that is relegated to the outskirts some place. It doesn't cost so much for taxes, services and other things. I feel that this plan in the past of moving the Territorial Government up into this Building 200 I believe they call it is an 13 admirable move but the fact that it has gotten reshuffled and other deals made, I don't know where that originated. I do not agree with that. Possibly my agreeing won't carry a great deal of weight but I can still disagree with the principle of shoving offices all over the country all around here in different buildings and moving here and there and some place else. Certainly we need the Registrar of Motor

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Mr. Shaw continues:

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Vehicles downtown where he can serve the people. We need a liquor store downtown and maybe some other licence bureau OFFICES we need downtown but most of them don't need to be downtown. They can be in this other area, and I think that our thoughts should be for the future of establishing an area for the Government of the Yukon Territory, having their own Head-quarters there, Council Chambers, Administrative Offices, and all offices that are not required to serve the people from day to day such as the Registrar of Motor Vehicles, Marriages and what not. That, of course, has to be where it is fairly handy for people to get at but the rest of it I don't think has to be. I am very much opposed, Mr. Chairman, to all this shuffling around because I can see nothing but confusion. If there's confusion now, what will it be like when this thing gets into being? It will never get straightened out. So that's my opinion...that we utilize that building up there. I believe that building is sitting. up there doing nothing. I don't know what it's doing but surely that can be reorganized. They can move down here and we can move up there...figuring that this is a long term viewpoint. We are making a decision now. In the past the Federal Government has made available to the Territorial Government this building. Now it isn't big enough. We have to move. Now, let's make a decision at this time. has to be faced inevitably to have our own Territorial Government section in the Yukon. Where are you going to put it?....but not scattered all over the country. I can't see that. Any Government in Canada.... I don't know of any Government in Canada that has such a situation, except the Federal Government with their huge departments. They've got to spread out, but I am referring to the Department of Education, British Columbia, Victoria, and all around there; Regina, Saskatcehwan; Edmonton, Alberta; and so on and so forth, and I think we should do exactly the same thing - have our own Territorial or Provincial buildings... start a plan now and gradually add to them in a sensible manner.

Mr. Thompson: Well, Mr. Chairman, when I asked the Commissioner that this morning I didn't realize that I was going to stir up such a hornets nest, but thank you for the detailed explanation. It clears a lot of points that weren't previously public knowledge. We hear of many innuendos and rumours but when it is put before you, you have the opportunity to digest it, disect it and come up with more problems and proposals, but I think this will give the Council a better understanding of the situation.

Mr. Watt: Mr. Chairman, in the Whitehorse Metropolitan Plan there is an area set aside for a legislature area for the time we do become a province or for the time that buildings are required ahead of time. Here's an area set aside and quite a bit of the property in the area belongs to the Territorial Government at the present moment. I would like Territorial Government at the present moment. to ask if we started to think along these lines now of being a legislature, I think that by the time the architects are through and everything else, we'll be a province before the buildings are up anyway. It takes so long to do things. I would like to ask the Commissioner if in the draft of the Five Year Agreement there are any monies set aside for any buildings of this type....legislative buildings in a central area or something.

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A was sweet to be in the Mr. Commissioner: Mr. Chairman, may I say a word in this connection. I think that this is one of the most constructive services that the Council could do when they are speaking with the Administerial people in Ottawa and that is to bring forth this suggestion. I think that Councillor Shaw will remember several years ago when we got into quite considerable discussions with Mr. Robertson when he was the Deputy Minister in this particular regard and at that time the thought of the total plan for Whitehorse was being talked about and as Councillor Watt has pointed out, Mr. Chairman, the land to a degree is already available and the area has been designated in the Whitehorse Metropolitan Area Plan for such buildings and I am quite confident that a long range plan of this nature would meet with a very good hearing when you people are discussing your Five Year Agreement in Ottawa. It is a very questionable situation. You might get anything in the way of concrete promises with regard to it, but I am certainly sure that you will at least be getting a start on something that is of a very real and needed nature as your Government starts to play more and more a part in the developing area. Quite frankly, gentlemen, I must admit that this Report that I have seen fit to table for you this afternoon does look to be a pretty confusing situation. Mr. Chairman, I can't help but agree to what Councillor Shaw has to say. However, I pass this on to you for whatever it is worth with the idea of leasing space for a fixed period of time, under the present circumstances, is really not such a bad idea because if during the term of this lease plans can be formulated for permanent type buildings, at least you are not going to be leaving a great huge capital investment unused or on your hands and not know what to do with, and this is the basic philosophy behind this particular thing that Administration had when they entered into this. Believe me, gentlemen, I am quite prepared as Commissioner here to assist you in any way that I can towards the long range realization of permanent Government Headquarters here in the capital of the Yukon in the area that has been designated in the Whitehorse Metropolitan Area Plan. Gentlemen, you could not do better when you are in Ottawa this coming January than to put forth your concrete ideas about this.

Mr. Chairman: Gentlemen, possibly we could recess for tea at this time. I will call a short recess.

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Mr. Chairman: Well, gentlemen, at this time we will call the Committee to order again. We were discussing this item respecting the turn over or the transfer of building and offices of personnel. Mr. Commissioner did you have something further on this?

Mr. Commissioner: I have nothing further to offer on that unless there were any questions, Mr. Chairman.

Mr. Boyd: As I mentioned, I am interested in knowing how much footage available for office space was involved in the building that we elected not to use. And if I understood correctly what was contained in the submission that Mr. Smith made it would appear we were leasing a building for ten years for a certain sum per square foot and then we are going to enter into some other type of an agreement possibly for a lesser period of time for janitor and services. Is my understanding right?

Mr. Commissioner: That is correct, Mr. Chairman, and this is detailed in the papers that I have read, copies of which are being prepared.

Mr. Boyd: I don't suppose this is the right time to go too far into it. I don't know but it seems to me that if I was going to enter into something such as this where I was going to rent office space for a period of ten years, I would want to know what it was going to cost me over a period of ten years. And if I am only going to know what one portion is going to cost me over a period of ten years then I am wondering if this is the way the bid was called. If this can be classified as bargaining. That is not the word I want to find but it means enough. If one contractor is capable of negotiating then all should have the same privilege. Now, I am not saying that a man that got the bid is not entitled to it based on the manner in which the bid was placed but it didn't say anything in the tender as to how-- as to what basis it would be accepted. It merely said "for approximately thirteen thousand square feet. What is the rental?" Now, I am doubtful that this is what we have got. This is where my negotiating thoughts come in. I don't want to carry this too far at the moment. It may come up later unless Council wishes it to be now.

Mr. Commissioner: Mr. Chairman, I would be very happy to look into this as to why the apparent statement on negotiations indicates a fixed rental for the physical plan and the ... for the provision of services.

Mr. Shaw: There is one question that bothered me for quite some time, Mr. Chairman, and that is: in relation to the position of Council agreeing upon— and mind you this is nothing personal in this at all I can assure you, but in this the administration embarks on a matter of making contracts with certain people on some policy say such as the rental of the building, construction and rental of the building. That is no doubt with the Territorial government it will be Territorial money. When Territorial Council meet and it is their privilege, and it is their privilege, to accept or reject money that is spent by the government. Now, in relation to this new policy of renting buildings; one was brought to the attention of Council and we agreed to the acquisition.

(Mr. Shaw continues)

This is expanding, of course, and it is expanding into quite a lot of money-- quite a large amount of money and for quite a long term contract. Apparently, the contracts-- I don't know too much about it, it is all new-- as I say, I am very uninformed on this. But it does appear to me that a contract individual or something like that, to rent a certain amount of space under this agreement or under that agreement. Now, for example Council, as a whole, feels that this is a very poor expenditure of public funds. At the same time they are asking for approbation to this expenditure of money, and if Council do not agree on this expenditure of money and do not sanction this money for this particular subject, what happens if the contract is signed by the government and the money is not forthcoming? How does the situation resolve itself? Or does it? Is it the prerogative right of the Administration to spend any money and then say you must approve it? I know it is a difficult situation and a difficult question to answer, but it does appear to me that that is in fact the case. I don't know what is going on or in fact has the contract been let.

Mr. Commissioner: Well, Mr. Chairman, everything that has transpired up to this point with regard to the negotiation for new floor space for the Territorial government I have no reason to believe that it is not fully explained to you in this paper that I read off to you this afternoon. If there is anything that has not been explained there or anything that is not on there, I would be very happy to look into it further on your behalf. As to the question that Councillor, Shaw has posed. I think it is very good and a very proper question. There are some things, as I see it, gentlemen, that your Administrative people have simply got to undertake to do, and do in a manner in which they, as the keepers of your day to day business activities, have got to proceed with. And while I am not going to pass on judgment concerning the provision of this new floor space, it is certainly, it would appear to me, gentlemen, a job for the administrative department of the government to see that adequate facilities are made available within reason for the people we are calling upon to do a day's work. Now, the idea of by-passing Council on details in this matter and then coming to Council and saying "well, here is the bill. Give us the money." I cannot say that I agree with that. I think there has to be some common ground here on which the administrative people and the legislative people can get together and this is exactly why I am here. And for no other purpose, and if I accomplish nothing else on this job than bring a closer liaison between the legislative people and the administrative people I will feel that I have accomplished a great deal. I am very happy to have Councillor Shaw's question and the manner in which . it was put and I likewise would be very happy to keep this question in mind. At the same time, gentlemen, the administrative people are left here to conduct the business of the territory and they are using public money, and they have got to be able to account, not only to yourselves but also to the Auditor General of C_{α} nada as to how it is spent. It is not entirely a non-controlled operation. Believe me, gentlemen, anything that I can do to keep you informed and to keep you up to date on what the thinking is and what is transpiring, I will be happy to do so.

Mr. Taylor: Well, Mr. Chairman, I agree with Councillor, Shaw in the problem he raised with respect to Council. But it seems to me when we went into renting building space or office space, I think with started out with a liquor store. I think the Welfare department moved or the Education department or something along this line moved. To my recollection this was to be a stop-gap measure. That time were proposing other quarters up the hill. This was when the highway change over came. But what I cannot reconcile is the fact that since that time the contracts are going out on a ten-year basis, which would indicate to me that there is no intent whatsoever, to house the territorial administration up the hill. For if there were why would then the territorial government commit themselves to ten-year contracts for space in down town Whitehorse. N_{OW} one of the other members did mention that it does not take too many years of firm contracts to pay for the cost of one of these buildings. It may be advisable, especially in view of the fact that we are searching now for legislative quarters, trying to keep our territorial government somewhat together, the administrative side of the government together. Possibly in the near future we would be better off to build our building, that is start on legislative buildings in deference to to issuing ten-year contracts. This is what I cannot reconcile because I cannot see these ten-year contracts if the administration feels that we are going up hill. The other thought that troubles me too is that if we are to go up hill the transfer of the building itself would be done for maybe a dollar as many things are done from department to department. Whereas, if we wait and cannot avail ourselves of the opportunity to do this we will then have to construct a building with considerable cost to ourselves directly. And, another point, as I say, this Council -- to move this Council from pillar to post is not is not too practical. We are not in too stable a quarters here but we are better off here than be farmed out anywhere else. I understand also that the Chambers, I have been informed, at City Hall are very small somewhat akin to our public gallery here. I don't know how this is going to be reconciled but something has to be done.

Mr. Boyd: Mr. Chairman, I would like to draw to the attention of the Commissioner and the rest of us around this table that before we rented the premises over here Council was asked and agreed to a price and then the contract was let. This time Council is going to be faced with voting a real substantial sum of money without ever having had a chance to even discuss it. Now, Mr. Smith did not defend or stick up for one side or the other. This is understandable. But I ask the question what is so urgent that you had to call this tender with only fifteen days notice to the contractors? What was so urgent about it? Who got the idea that there had to be this on a moment's notice. There is nothing that urgent in this town today. And there is space up the hill that we could use for six months or a year if necessary or . a few months until the thing was ironed out. This things was just pushed through without even one word to Council or even the Advisory Committee while they sat. But, boy! is there going to be words when it comes to get this sixty thousand dollars or whatever the figure is to pay this annually. I am quite satisfied that if we had a chance to discuss this we would have talked about the building that Councillor Shaw was mentioning. I don't like this rental business because it is obvious that if private enterprise can do this and

(Mr. Boyd continues)

make money then it is at the people's expense, otherwise they would not be doing it. After all people should be able to build their own building and house themselves in it. So the whole thing seems to be a little something that just doesn't come up to scratch and I don't accept the fact that it was so urgent. I don't accept this at all. I don't know what Council is going to do about it but I am going on record to say that I don't like the situation.

Mr. Taylor: I would like to ask a question of Commissioner Smith. He mentioned at one time that the-- just pointing out that at one time the Department of Health and Welfare had built a garage just across the river by the hospital and had not indicated or obtained permission in principle from the Council and they came to Council and asked that they pay for this garage that they had built. We turned it down and Ottawa had to pay, unless it was paid in some other manner. Now when this request comes for money with which to pay for a commitment the Territorial government may with respect to this new building, and if this Council refused to make these funds available on the same grounds as they did across the river to the garage, what would the Territorial Administration do?

The Commissioner: Mr. Chairman, I will be perfectly honest with you. I have no idea. All I can tell you, gentlemen, is that there are funds in your present estimates to care of building rental. As to what difference there is between the funds that you have already provided to take care of building rental and what is required to take care of this new building, I am sorry, I don't have that information. If there are funds and estimates, either Northern Affairs estimates at the federal level, or in your Territorial estimates, in one place or the other because building rental is being paid for all territorial purposes. So there is funds available there some place.

Mr. Taylor: Just one further question. I would like to direct this to the Legal Advisor. What would be the Territorial Administration's position of the Territorial Council refused to allot money for this commitment?

Mr. Legal Advisor: May I borrow the Commissioner's answer? I would have to study that. The implications are rather far reaching.

Mr. Watt: We refused to vote four hundred thousand dollars for the Justice Department and it was passed and spent anyway.

Mr. Thompson: Well, Mr. Chairman, I just would like to say that there is nothing in the supplementary estimates for additional rental. In other words the existing is covered but unless it is in capital where it shouldn't be because it is not a capital expenditure, there is nothing in supplementary estimates to cover this. And the thing that strikes us rather oddly is the fact that just about the time these dealings were consumated the Financial Advisory Committee was in session and nothing was said about it so this is what brings it to our attention.

MR. Commissioner: Mr. Chairman, I have nothing but respect

for these questions from Councillors.

Mr. Shaw: Mr. Chairman, I would not imagine that this rental would come into effect until possibly next year. If there are rentals involved next year I assume this would come up next year.

Mr. Taylor: Mr. Chairman, I would just like to point out now is a little supplement of those things that were overlooked in the spring. There is a supplementary bill in the amount of two million, two hundred and six thousand dollars. It is quite a little supplement when we talk about where this money goes. I would like to know the answer as to what the Territorial Administration would do if Council refused to make this money available which the Administration committed themselves to.

Mr. Shaw: I would like to say that I very much appreciate the frank comments and the manner in which Commissioner Smith answered the questions and the manner of his approach to this matter, and the way he brought these matters to our attention. We have a pretty good picture of the ramifications of the change over and the switching back and forth. There is no doubt that he must have some concern himself because he would have to have a directory to find out which department is where. And, another thing in relation to this matter of Council chamber being moved to another location. This sounds quite simple "put them over there!" But what happens if you want to get a hold of other departments? I can just imagine the Commissioner and the Legal Advisor and Council would have a real trail from the City building down there over to their various departments to get into there for information. It would be quite an affair. I wonder! in view of the fact that this Council Chambers is about 22X 16, which is approximately the size of this gallery here, how could we possibly-- if this is correct-- I think we would have the zone superintendent down there because we would have too many people in one room.

 $\mbox{Mr.}$ Commissioner: $\mbox{Mr.}$ Chairman, the Minister did not tell me about all this, these problems.

Mr. Taylor: Well, gentlemen, have you any further discussion on this matter?

Mr. MacKinnon: Mr. Chairman, I would like to ask if there is a long term rental agreement for this building?

Mr. Commissioner: I believe that the paper that is being tabled before Council answers that question. If it does not satisfactorily answer it I will be happy to provide further information that Council would wish to have.

Mr. Boyd: One more question and I won't rise again, gentlemen. Was there urgency in this calling of this bid, this set up? Was there urgency? Do you have knowledge of why from the time the tender was called to the time the bids were submitted on a deal of this volume in dollars? Was there urgency? Have you satisfied yourself on this?

Mr. Commissioner: Yes, Mr. Chairman, the urgency brought about by a continued request from the president of Public Works for the Territorial government to vacate these offices as promptly as possible, and the buildings available in the Camp Takhini were not going to be of sufficient size to take care of these territorial offices. It appeared they were

not going to be available in adequate time to get out here. And most important of all if the building was going to be ready for occupancy, say by May or June of this coming year then it would start to be -- it would have to be started to be built before the building season was over. These are the answers that I have been given and I am quite satisfied that they are correct answers. And, I will say this that the people who were faced with the administrative problems here at the time have conducted themselves in what I consider to be a very business-like manner in dealing with this and they have done what they felt in their jusgment to be the right thing to do faced with the circumstances that they were faced with. Mr. Chairman, you have my personal assurances that they were not doing anything they felt was in any shape or form detrimental to Council's position or doing anything that was or could be construed as underhanded or undermining anyone's position. They did this in the very best of good faith and they conducted their job in a manner they felt was correct and proper.

Mr. Chairman: Mr. Commissioner, did you have another item?

Mr. Commissioner: Yes, I have, Mr. Chairman, Further to Sessional Paper #27, in addition to the Minister's statement the telex of the Minister's statement, I obtained information from Mr. Ed Wick of the Resources and Economic Development group about the development of the Department of Public Works study. They are carrying out an engineering feasibility and cost study of possible alternate groups. This study is expected to be completed about November and Mr. Wick will enquire about the possibility of us having either the Interim report or the final report for distribution to Council. We should have a telex on that within the next day or two.

Mr. Chairman: Now, gentlemen, we have before us certain bills and Sessional Papers. What is your pleasure?

Mr. Boyd: Let us get the Sessional Papers done.

SESSIONAL Mr. Chairman: We will move to Sessional Paper #10. This PAPER #10 is addressed to Mr. Speaker, Members of Council re Motion # 46 - Game Department Development. (Reads Sessional Paper #10).

Mr. Taylor: Well, I am certainly not happy with Sessional Paper #10, Mr. Chairman. This is something that we spent a great deal of time on, and as can be found, the motion has been changed, the original motion of the spring session. I moved, seconded by Councillor Southam, that for the provision of the following: a. one Territorial employed biologist. one Fisheries officer. And the most important part of this motion was "c", one clerk-typist. It was not one clerktypist but "c" read three conservation officers. It seemed evident to me that some people in the federal biologist group wanted to get a whole bunch of mammologists and biologists in here and say "we don't want your conservation officers." This is the backbone of the whole motion, these three conservation officers to go out in territory and start loping this one department which regulates the only one natural resource that the Yukon territory is in control of. I would like to know from anyone involved why this motion was altered and (b) was it in error? I would like your assurances of the Administration that the three conservation officers will be placed back in their position as the original motion specified and be considered as part and parcel

(Mr. Taylor continues)

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of the whole motion.

Mr. Commissioner: Mr. Chairman, I would undertake to get this matter looked into. I know that there is an item in the presentation that Mr. MacKenzie took to Ottawa with him. I am sorry I don't remember enough detail to be able to tell you whether it reads as your original motion or whether it reads as it is written now. But we can certainly have this looked into, Mr. Chairman.

Mr. Taylor: Yes, thanks, Mr. Commissioner. I am very concerned about this because a lot of work and effort went into this, and I know that at that time every time I mentioned conservation officers over the last several years everybody used to scrub it. I didn't think it would be scrubbed here but apparently it has been. I would appreciate any assurance that you can give that these three conservation officers will be considered as in terms of our motion of May 6th, 1966.

Mr. Commissioner: What Sessional Paper is that? What motion?

Mr. Taylor: Motion #46. Is there any further discussion?

Mr. Shaw: The only discussion on this: I quite realize the federal government is paying the shot on the Fisheries Dept. It is under their control and jurisdiction. I always thought that this could well be Territorial function, fresh water fisheries. That although the Territory would be paying for this it is not actually costing the tax payer of Camada anymore except that he is under jurisdiction of the Territorial government instead of being absolutely independent. In other words it is another aspect of responsibility we could assume and I think we could handle it quite efficiently and incorporating it with the Game Department.

Mr. Chairman: Is there any further discussion? If not we SESSIONAL will proceed to Sessional Paper #12. It is addressed to PAPER 12 Mr. Speaker, Members of Council re Motion No. 6 - Joint Council Session. (Reads Sessional Paper #12)

Mr. Chairman: Any discussion on this one, gentlemen?

Mr. Boyd: Self-explanatory.

Mr. Chairman: We will proceed to Sessional Paper No. 13 SESSIONAL addressed to Mr. Speaker, Member of Council. (reads Sessional PAPER 13 Paper No. 13).

Mr. Chairman: I am just wondering if this is not an administrative matter that Council has no control over.

Mr. Watt: Mr. Chairman, I am willing to see them and to clarify some of the figures. Our position as far as in respect to Ottawa we will try. I would like to see a couple of other things while we are on the budjet, that is I would like included in the budget not only the amount voted for in the establishment number but the amount that was used on there.

Mr. Commissioner: But, Mr. Chairman, it should be in there.

Mr. Clerk: It is in there.

SESSIONALMr. Watt: What is missing is where the surplus went to. If PAPER 13 a hundred thousand was voted on an item and fifty thousand was used where did the other fifty thousand go?

Mr. Commissioner: Yes, but, Mr. Chairman, it has to be indicated. It has to be shown. I haven't seen your present budget or set-up. In the past it was always shown as to what was voted and what was spent. The increase over and above is readily indicated.

Mr. Watt: The figure that is missing is if the amount for a particular subject or project is is used for something else it simply goes back to surplus fund but if it was transferred to something else I think it would help if it was indicated. We have asked at different times for a particular subject. We have asked and it was indicated several times.

Mr. Clerk: Mr. Chairman, in most cases the unused portion is not transferred. It merely lapses and that is all there is to it.

Mr. Shaw: Mr. Chairman, the accounts do show the the proposed expenditure estimates and the expenditures in all other years in all these matters. As Councillor Watt has brought up we vote say a hundred thousand dollars and seventy thousand is spent. What happens to the other thirty thousand?

Mr. Commissioner: It merely lapses. After all you are only dealing with an estimate. You are not dealing with an actual sum. But insofar as where this goes as far as the allottment and transfers are concerned I am sure it is indicated there. And, I can assure you, Mr. Chairman, I will be very happy to follow very carefully along with Council at any time... I would also like to draw to the Council's attention Bill C-147 has clearly outlined a certain chamge concerning Territorial accounts. And this amendment to provide greater detail for keeping Territorial accounts and the examination of these accounts by the Auditor General. By statute of Canada more detail is now required.

Mr. Shaw: Mr. Chairman, the question was asked and in refering to this I certainly concur. It is the same thing except a different name. Instead of calling it a liability you may say in a sense it would be an asset if you take a look at it from the back door.

Mr. Chairman: What is your desire, gentlemen? Do you wish to concur in this matter?

AGREED

Mr. Chairman: I would entertain a motion to this effect.

MOTION Mr. Shaw: I move that concurrence be given to Sessional Paper No. 13.

Mr. MacKinnon: I will second that motion,

Mr. Chairman: It has been moved by Mr. Shaw and seconded by Mr. MacKinnon that Concurrence be given to Sessional Paper No. 13.

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Mr. Chairman: We now come to Sessional Paper No. 14. It is SESSIONAL addressed to Mr. Speaker, Members of Council re Corrections PAPER 14 Program. (Reads Sessional Paper No. 14)

Mr. Chairman: Mr. Southam, will you take the Chair? (Mr. Southam takes the Chair).

Mr. Taylor: Mr. Chairman, In this respect I have a recommendation to make. I am not too sure whether it will be received by the Administration and given the consideration I feel due it. We have talked at great length last session about the problems of the experimental farm; and we talked about the problems involving this camp. And, we also decided it would be nice if we could get this camp out of Whitehorse and somewhere else in the Territory where it will be doing good. It seems everything is centralized here in Whitehorse. And, I think, here is an ideal opportunity to put these people to work, and I suggest this camp be situated on the existing site of the experimental farm. There is power and facilities there with which to accommodate these units. I feel that the inmates themselves could produce sufficient vegetables or agricultural products to supply the whole camp, including the Whitehorse camp, with potatoes and things of this nature. They could carry on the work, or at least a portion of the work with the Department of Agriculture at that point. They could also start clearing the area of the new Territorial Park at Tawani. There is a thousand and one projects to be done at that particular point. I feel that it offers no problem as far as staff is concerned. The staff could reside at Whitehorse and could drive to the camp; and remain at the camp for a period of a week on and a week off or five days on and five days off. I don't think this would present any problem. I feel very strongly that this proposal should be given consideration at the earliest possible chance.

Mr. MacKinnon: Mr. Chairman, I am glad to hear Mr. Taylor take this up. I have been approached by the people of Haines Junction to bring this up. We feel that it is very necessary in that area to have this minimum security camp established at Haines Junction. It is needed to support the community and the facilities are already established at the farm. It will undoubtedly be a very good place to carry out the convictions of this camp. And, I hope that Council will see fit to give it full support. We have a minimum securities camp established at Mile 10-16. I have to also request this of the Minister when we make a trip to Ottawa at a later date.

Mr. Shaw: Mr. Chairman, I note one thing in this program in the first paragraph: "It is being done in an attempt to keep you informed about this new program so that you will be able to answer questions which may be raised by your constituents". One of them raised, of course, is why they are building the jail down here? Why are they building this camp in the same location? It is a very good question and it is very difficult for me to provide the answer. All I could tell them is that if there is too much conviction will make most of the criminals come from here so it will be a good idea to leave them down there. They say "well, we have a few up here. What are we going to do about it?" Now this minimum security affair. When I first thought of this or heard of this I visualized that in the summer time there would be a large truck with a bunch of tents on and a minimum security person would go into

SESSIONAL (Mr. Shaw continues)

PAPER 14 a particular area and set up this tent and cookhouse and facilities, and they would go to work on some public project, A project that doesn't interfere with private enterprise. However, this has evolved into a fancy sort of an affair that and is almost permanent and would take semi-trailer tractors to move it. That is what is has evolved into now. Now I don't know just what the idea is in rehabilitating these people. What the purpose is. I still can't see the purpose except they are going to give them a job. They have got a job lined They are going to do a trail down here and so on and so forth. Now, this is a tremendous all-embracing program. Cleaning debris along the highway-- well, we have five or six hundred miles of highway. That should keep them going without anything else. We have burned over areas of hundreds of thousands of square miles. So that is a job that gould last for life. We have park areas that might be very good. In each area of the territory you have certain things that can be done by a group like this, a group that is transportable, and I don't think this is. They must have places in Mayo; they must have place in Watson Lake; and in every part of the country places that they can beautify. We have in Dawson cemeteries there that pioneers that came into this country first. It is a tremendous size cemetery up there and a tremendous job and funds are not available to maintain it as you would like to have it maintained because many visitors go to this particular area, and these cemeteries, I would say with little fear of contradiction, cover at least an area of ten or twenty acres. You must remember that this is seventy years and that thousands of people have been up there, and thousands of people have died and these cemeteries some of them have trees this big going right through the center where some poor individual is buried forty, fifty, sixty years ago. That is a program that could well be done by such a group as this, but with this program that is evolved where they will be sent into Wolf Creek. I don't know where Wolf Creek is, except that it is out of here about ten miles. That is going to be almost permanent. They have enough work cut out for them that you couldn't possibly do anything else. Now on this correction program, it alarms me the way it is extended into tremendous-- tremendous financial commitments. I understand that this is an expensive procedure but I also submit, Mr. Chairman, that there are economies that we can effect in matters such as this. And, one of them is that the inmates cut their own fuel for to keep themselves warm and the other facilities in the barracks--Correction--institution, but no, it will be oil. I feel that part of these people could well be occupied at a place, and 10-16 would lend itself to this possibly, there acres around Dawson to growing their own produce, their own potatoes, carrots and turnips -- all this kind of stuff. The whole concept, the whole thing is how much money can we spend; not how much money we can save. That is the part that alarms me. I think the principle of the correction program is good but it certainly alarms me the costs that are going to be involved. It is just absolutely out of this world. On this particular program we have something right in the territory that we need in the worst way and that is some form of detention home or hostel. A lot of these children you cannot do anything with them. Their parents can't -- won't; the government can't. So those are the things that need immediate attention at this time. In fact much more attention than this needs. So on being asked

(Mr. Shaw continues)
what my constituents say, I think I am voicing for the moments, that is questions that my constituents raise which is very difficult for me to answer. I wonder if this program could not be made a little more flexible and take this mobile unit some place and figure out a place where we could make it more self-sufficient. If tax payers have to keep these people living at ease -- well, at least help them support themselves.

Mr. Boyd: Mr. Chairman, I think, as has been pointed out, in relation to this minimum security camp that it is not desirable to move it except every year or so but they do indicate a glimmer of hope here when they say that satelite units would be possible. I would assume that this unit would be forthcoming after this got into operation, and has experienced some of the problems and so forth facing a new operation. I sympathize with the problems of Dawson and \bar{I} know all over the territory, as Councillor Shaw has pointed out, there are places and things that can be done. I would argue that you can set up a tent on the farm just as easy, if not easier, and for the moment it can be here. I would argue that nursing facilities are there; and that food supplies and fuel supplies are available at that point to cover emergencies or things of that nature. It is an outstanding environment for such a program. We must remember we are dealing with inmates that are ninety per cent social problems, not criminals at all. The matter of conveyance from this point to that is no problem. We know that; half an hour's drive on good highway, well maintained the year around. I would like to sit down with the honorable member of that district at a later date and see if we can't come up with a motion outlining this proposal and then present it to Council for your consideration. I think the corrections people may agree that this is an ideal site for the security camp.

Mr. Boyd: Mr. Chairman, I notice we have eight senior staff members hired. I may be a little snide, or whatever the word is, but I suppose each of these people have a stenographer although they don't say so. I am wondering if this would be so, Mr. Commissioner. Another thing that strikes me is that we are not going to do anything for about a year. I take it then that we don't intend to use that building for a year. Now, I am wondering why we are renting a space of fifteen thousand square feet when we have a palace. My Goodness! there is a place there for Councillors' room. Mind you, are we going to rent this to somebody while it sits there for a year? I would like to see us think about using this building.

Mr. Watt: Mr. Chairman, a member from the Carmacks area talked to me some time ago and it was his suggestion was that this minimum security arrangement here should be at the experimental farm area. I think his suggestion has merit. At the time there was a lot of talk about closing the experimental farm and no doubt there was a lot of urgency in it at that time. The buildings that are vacated proceed rapidly into disrepair and in a few months become uninhabitable. I would like to leave with the Commissioner that if he has any further indication of the future of the experimental farm, if it is going to be closed at all within the next year, and if the minimum securities program is being developed— it is not too far now but I would certainly agree to postponing it and using the experimental farm facilities first. If within the next year there is any indication at all of the farm

SESSIONAL(Mr. Watt continues)
PAPER 14 closing down a lot of money can be saved, if these buildings at the farm were used for this type of thing.

Mr. Commissioner: I think the Minister forgot to tell me about this problem, but anyway, gentlemen, I think we might as well be very honest with each other in connection with this correctional school, this program. This thing is so far off the rails it will take months to get it back. Now, gentlemen, you were sold a bill of goods, as far as I am concerned. And, I am afraid that you will have to leave it up to the wisdom of the Commissioner and his administration here to make the very best of what I consider to be a terrible situation. It is my understanding that the federal government is underwriting this program a hundred cents on a dollar. And, it was done, like a lot of other programs, things that are talked about not only around this Council table but elsewhere, and in theory it is a very very fine program but in a practical application of it you have to have people to administer this program who know what they are doing and understand the problem that is involved, and these people do not grow on trees. They are simply not available, period! To start with you have a very straighforward situation confronting you here in the Sessional Paper that construction was proceeded with in connection with the minimum security building in the Takhini area with no thought in mind at all as to where the staff was going to come from, or if they did come from somewhere else where they were going to be housed. Now, there is no housing in Whitehorse. I don't have to tell you that. Now this is the first elementary problem in connection with the corrections program. The next problem is in connection with this minimum security trailer-type camp that you were speaking of. I speak for myself and I speak for my minister when I say you haven't got a finer idea in the world when you speak of using these people in connection with the experimental farm. The only problem is the thing is gone so very very far I doubt it could be applied to the actual physical site of the experimental farm. All I ask, gentlemen, is that you tolerate the situation as it is at the present time. Give me a few months to get my teeth in it and I will see what I can come up with. I will do my very best to try and accommodate a program to Council's wishes and get it and getting it to some kind of a constructive basis in the community that is going to do some good as well as spend some money. But remember that the thing is gone to a stage now where it may be very difficult to make some of these changes with the physical plan that has been provided for us. I am sorry that I cannot be anymore specific or anymore optimistic about it. But I think we might as well all face up to the fact we are all twenty one years of age and this thing is going to take a long time to get on to the

Mr. Boyd: Mr. Chairman, I think what Mr. Smith has said is absolutely factual and we are faced with nothing except to give him the chance to do the best he can but in the meantime I would also like to invite this Council to be my guest to go through that building and you will have a much better knowledge of what we are talking about than you have now. It is not beyond the possibility of Administration to use that building. It is not beyond the possibility at all. You should see it. There are a lot of things you will see that you don't know about now. It will be an education.

Mr. Watt: Mr. Chairman, with respect to the invitation I

(Mr. Watt continues)

feel like one of the seven saps right now, but I agree with PAPER 14

you. It makes it easier for us in trying to do something.

Let us know when you get a few facts--

Mr. Commissioner: Mr. Chairman, you will wait a long time before you hear anything but the straightforward facts. I have no axes to grind with anybody. If that is all I have that is all I have. Let's face it.

Mr. Shaw: Mr. Chairman, during the time I have been at this table I have never heard such frank statements. It makes me feel better to know that we have the facts exactly as they are and if mistakes have been made let us admit them and wee where we can get on from there. I feel confident that Commissioner Smith will do the utmost that he can to straighten this thing out so that at least we will be able to be satisfied and will be able to tell these people whom we represent that everything is being done that can be done.

Mr. Taylor: Gentlemen, this matter will probably come up again in some other form. Do you intend to leave this paper?

Mr. Shaw: Mr. Chairman, and I would direct this question to Mr. Commissioner, would there be opportunity to discuss matters pertaining to juvenile detention at some later date?

Mr. Commissioner: Any time, Mr. Chairman, whatever Council's wishes are. If they wish to indicate to me what they wish to discuss, I will be very very happy to do my utmost to help.

Mr. Sh_{aw} : I raise this point because there has been discussion by interested groups. It is a very serious situation in this area and there is no time like the present to do something about it.

Motion by Mr. Boyd, seconded by Mr. Southam that Mr. Speak-MOTION er assume the Chair, and hear the report of Committee.

MOTION CARRIED

CARRIED

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

Chairman of Committee: Mr. Speaker, the Committee convenedREPORT OF at 10:20 a.m. this morning to discuss bills, memorandums, COMMITTEE sessional papers. The Committee discussed bills with Mr. Commissioner in attendance. It was moved by Councillor Watt and seconded by Councillor MacKinnon that Bill #9 be amended as follows: Section 3, subsection 3 after the word 'operate' the word'for hire' be inserted. This motion was defeated. Councillor Boyd moves, seconded by Councillor Southam that Bill #9 be reported out of Committee without amendment. Motion Carried. Committee recessed at 12 noon and reconvened at 2:00 p.m. It was moved by Councillor Shaw and seconded by Councillor Boyd that Bill #10 be reported out of Committee without amendment. Motion Carried. It was moved by Councillor Shaw and seconded by Councillor MacKinnon that concurrence be given to Sessional Paper #13. Motion Carried. It was moved by Councillor Southam and seconded by Councillor Boyd that Mr. Speaker do resume the Chair. Motion Carried.

REPORT ACCEPTED REPORT Mr. Speaker: You have heard the report of the Chairman of OF COM- the Committee. Are you agreed with the report? MITTEE

ACCEPT- AGREED

REPORT ACCEPTED

ED.

Mr. Speaker: Now, Gentlemen, we have the agenda for tomorrow. What is your pleasure?

Mr. Taylor: Mr. Speaker, we have at this time only bills and Sessional Papers.

Mr. Watt: Mr. Speaker, I would like to suggest that possibly as there is some urgency in a couple of bills possibly a bit of time could be allotted for the discussion of these bills tomorrow.

Mr. Speaker: Are you agreed, gentlemen, that we process these two bills with possible assent tomorrow? Bill #9 & #10.

AGREED

Mr. Speaker: It has been moved by Councillor Mackinnon and seconded by Councillor Boyd that we call it five o'clock.

MOTION

MOTION CARRIED

Adjourned to Thursday morning at 10:00 o'clock.

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Thursday, November 10, 1966
10:00 a.m.

Mr. Speaker read the daily prayers and Council was called to order. The seven Councillors and Mr. Commissioner were present.

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

Mr. Clerk: There is Mr. Speaker.

Mr. Speaker: We will proceed with the first item on the Agenda which is correspondence. Have we any correspondence this morning Mr. Clerk?

Mr. Clerk: I have one memorandum to bring to the attention of Council, Sessional Paper #29 on the Alaska Highway Handover. I will read it. That is all Mr. Speaker.

SESSIONAL PAPER #29

Mr. Speaker: Thank you Mr. Clerk. Have we any reports of committee? Under this heading gentlemen, this isn't a committee report but it is a report none the less and it concerns a matter of somewhere around last Spring in which one of the Members of Council, namely Councillor Boyd, undertook some project for the Federal Government. There was a certain amount of correspondence that went back and forth on this particular matter in which I was involved and I was involved as the Speaker of Council and therefore I feel that it is my duty to bring this matter before you to possibly read and possibly table and any action you may wish to take on the matter will be the decision of the Council if they wish to take action or not. I wrs.first aware, I won't say aware that something was not quite in order when I received a letter from councillor Boyd on June the 10th and I will read the letter. "Mr. Speaker, Yukon Territorial Council, Dear Sir; I am directing this letter to you as Speaker for Territorial Council concerning a matter which I believe should be brought to your attention, i. e. There appears to be talk and possibly complaint over the fact that I am a Census Commissioner and a Territorial Councillor. At the time of accepting the appointment of Census Commissioner I did not realize that there was room for complications or complaint. However, as stated above, there appear to be rumblings of complaint and being a Territorial Councillor I feel that it is my duty to inform you of same. It also follows that should Council as a whole become involved over this subject, I will naturally accept any ruling they decide upon. The Census taking should be completed by June 25th. I am writing a letter to the Commissioner of the Yukon "today" informing him of the situation indicated herein. With kind

ELECTIONS ORDINANCE RE: BOYD

regards. Yours truly, H. E. Boyd."

I replied to that letter on June the 18th and I also included a copy of that letter to all Councillors and that letter was as follows: "Dear Councillor Boyd; This will reply to your letter of June 10th in relation to you accepting the position of Census Commissioner for the Yukon. You are quite correct in your statement that all Councillors were aware of your intention to assume this office. To be quite honest, I never gave it a second thought as to there being any irregularity, no doubt my thinking was, that this did not affect in any direct manner, matters of Territorial interest or finances, therefore there was no conflict of interest. This be as it may, it would appear that there is reference in the Ordinance to such an appointment, the legality of which I do not feel qualified to comment on at this time. To investigate this matter fully from it's legal aspects rather than emotional overtones, I

ELECTIONS ORDINANCE RE: BOYD

Mr. Speaker continues to read...... am writing our Legal Counsel, Mr. Craig Hughes asking him if he would thoroughly investigate all the pertinent points relevant to this subject to ascertain what implications may or may not be involved. I am also requesting him, on behalf of the Council to prepare as full a report as possible to be presented as prior subject matter for the next Session of Council. At this time Council may properly study and discuss what is involved and make their decision accordingly. I regret that I cannot be more definite, and would point out that whatever action may or may not be taken, must be a decision of Council only, and while it is in Session. I can assure you personally of every consideration, particularly in view of my prior knowledge of your action, however, we will have to abide by the law as it is written and perhaps by Fall, we will have the answer. Thank you for the courtesy of your letter and the information contained therein. With kindest regards, Yours very sincerely, George O. Shaw, Speaker." A copy of this went to all the Members of Council and the Legal Advisor. Following this I wrote the following letter to Mr. Hughes on June 22, 1966. "Dear Mr. Hughes: I am recently in receipt of a letter from Councillor Boyd respecting his acceptance of the position of "Census Commissioner" for the Yukon. There might appear, at first glance at the Elections Ordinance that there is some conflict in what is written into law and the actions of the Member. As the Speaker of the Council, I would feel it my duty before any action was taken to have a most thorough investigation of all facets of the law in respect to this. I would very much appreciate if you would, in your capacity as our Legal Advisor, to conduct this investigation and to make as complete a report as possible for the next Session of Council to enable us to evaluate the implications in as correct a manner as possible. I am enclosing for your edification a copy of a letter I have recently mailed to each Member of Council. Thanking you for your assistance. Yours sincerely. George O. Shaw, Speaker."

On August 29th, I received a letter from Councillor Boyd as follows: "Mr. Speaker, George Shaw. Dear Sir; With further reference to correspondence concerning my activities re Census taking. I am enclosing herewith a copy of a letter written by me to the Regional Census Office in Vancouver. The letter is self-explanatory, accordingly I feel no added remarks are necessary. With best regards. Yours truly, H. E. Boyd."

The copy of the letter is as follows: "Regional Census Office, Vancouver, Dear Sir: Attention, Mr. Roy McPhail. It so happens that I am an elected Territorial Councillor and it appears that while holding this position, it would be wrong for me to accept a fee for services rendered as Commissioner of Census for the Yukon. The Territorial Council will be in session the first part of November, at which time they will discuss the situation indicated herein. Accordingly, until further advised, I am returning to you herewith two cheques Nos. 208-1154881 and 208-1201648 which you forwarded to me. I will let you know the conclusion reached by the Council. Yours truly, H. E. Boyd."

I then have the last letter from the Legal Advisor re:
Councillor H. E. Boyd. "In my capacity as your Legal Advisor
I have made investigation into the subject matter set out in
your letter of 22nd June 1966. The investigation disclosed
certain questions which in my view are not essentially legal
questions nor are they ones for determination by the Courts.
In this context questions of eligibility to sit and partake
in the business of Council are matters for determination by
the Council itself, having regard to the principles it considers appropriate. Therefore, I regret I have found it
impossible to make any recommendation. I am your obedient
servant, C. P. Hughes, Senior Advisory Counsel."

Mr. Speaker continues..... That gentlemen is all the factual information that I have in relation to this matter. I felt that this should be brought to Council's attention, all that has happened. If they wish to take any action or not take any action I am quite prepared to listen to what is said in regard to it.

ELECTIONS

Mr. Watt: Could I suggest that we have the matter referred to RE: BOYD Committee later today when we go into committee. As this is a bit of a problem hanging over us like a cloud and it may be all right and it may not be all right. Let's clear the air one way or another. I would like to suggest that a motion be made and this be included with the motions and Bills and we can discuss it then. I move the matter be referred to committee.

Mr. Taylor: I second it.

Mr. Speaker: It has been moved by Councillor Watt and seconded by Councillor Taylor that the subject matter which has just been discussed be referred to the Committee of a whole. Are you ready for the question. Are you agreed with the motion? Any contrary? The motion is carried. I should have stated that this will be the first to be discussed by the Committee. This was intended I think. Now, we have Notices of Motion and Resolution. Have we any this morning? Mr. Watt.

NOTICES OF MOTION

Mr. Watt: I beg leave to give notice of motion concerning an LPRT system for 24-hour broadcasting in the Whitehorse area.

LPRT SYSTEM

Mr. MacKinnon: I second it.

Mr. Speaker: are there any further notices of motion?

Mr. MacKinnon: I beg leave to give notice of motion re utilities in Indian villages. I would like to rewrite it Mr. Speaker. VILLAGE UTILITIES

Mr. Speaker: Any further notices of motion. If not, we will proceed to the next item, have we any notice of motion for the production of papers? If not, we will proceed to the next item, questions, are there any questions?

Mr. Boyd: Mr. Speaker I would like to direct this question QUESTIONS orally to the attention of the Commissioner and it concerns public restrooms. I find that we have people coming in from Porter Creek in particular, Camp Takhini and from outside areas anywhere, attending shows and other things such as shopping and there are children amongst them all the time who have no place when they would like to go. I have witnessed them going PUBLIC to the cafes and being chased out and I can't blame the cafes, but certainly there is no public service in this town for this kind of set-up except at the expense of private enterprise. I would like to know if Mr. Smith would give some consideration to a public restroom in this building. I trought this up in Council once before and there was an excuse offered that they would have to have a man attending it all day. This is fine, they have to do this elsewhere and the cafe's by their own token have to have somebody attending theirs and paying for the damages because there is nobody attending them. But, the point is there is no place to go and I would like to know if Mr. Smith would take this under consideration.

Mr. Commissioner: Mr. Speaker, in answer to Mr. Boyd's question, this has a very long history. The first time that

Mr. Commissioner continues..... that I can remember this matter coming up I was sitting on the City Council of Whitehorse and I would say this would be about 1954 or 1955 and at that time I believe that the White Pass & Yukon Route had been providing facilities and they had advised the City that they were not going to be able to provide this service any longer and the situation has not improved at all in the intervening ten or eleven years. I can't promise you what the end result will be but I will be very happy to look into the situation and see what possibly can be done, at least a proper answer. I would say gentlemen that the vast majority of the situations that Councillor Boyd has referred to--the beneficiaries are the merchants of Whitehorse when these people are in town. Rather than get myself involved I think that the merchants who are the beneficiaries of these people spending should provide these facilities. While I am in great very sympathy with the question I do feel that somebody somewhere has to accept the responsibility when they are the immediate beneficiaries. I do want you to know Mr. Speaker that while I am looking into this matter and I am going to receive a comprehensive report I would also like to make known my feelings through all the years in regards to this. I would ask that I be given two or three days Mr. Speaker.

Mr. Speaker: Thank you Mr. Commissioner, does that answer your question Mr. Boyd?

Mr. Boyd: Yes it does thank you.

Garingogin

Mr. Speaker: Are there any further questions?

Mr. Watt: I could possibly have brought this up under the production of papers but it would be simpler if I could just ask the Commissioner if he could submit to all the City Councillors and the Mayor a copy of our paper on physical fitness and amateur sports. I think there is some valuable information there whereby the City of Whitehorse could possibly make application for some of this money or some of this money to help see the Councillors and Mayor are aware of it.

Mr. Commissioner: Could you just give me the number of it.

Mr. Watt: Sessional Paper #22.

Mr. Taylor: Mr. Speaker, I just had one question, I was hoping that the Legal Advisor would be with us this morning but I understand he is detained but possibly I could direct the question to Mr. Commissioner as he would be involved in this. It is in view of the fact that New Year's Eve falls on a Saturday-Sunday basis this year. It appears that it will be necessary to amend the Liquor Ordinance to provide for Sunday drinking and I wonder if the Administration would take this under consideration, if not already, and prepare the necessary amendment to the Liquor Ordinance so that we will be able to enjoy New Year's Eve.

Mr. Speaker: Mr. Commissioner:

ana na salah na harawa 1811 daya Maran Maran Salah na harawa 1814 daya Mr. Commissioner: Do I take it that Council is requesting this?

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Mr. Speaker: A Member is requesting this. It is a question that I think would be more or less difficult to answer and possibly that would need to be ruled out of order because it would have to come in the from of a resolution. So, you do not have to answer that question at this time. I will rule that question as being out of order.

Mr. Taylor: My question, of course referred to an amendment that Council could consider.

Mr. Speaker: If you said Council well it will still have to come before the consideration of Council before it can be discussed. It is a question of changing legistation and I think that would come as a resolution. Have we any further questions? If not, we will proceed to public Bills and orders. I do believe we have certain Bills for completion and there is some urgency in respect to this.

Mr. Boyd: I would move that Bill #12 be given first reading, an Ordinance to Amend the lital Statistics Ordinance.

Mr. Southam: I second it.

BILL #12 FIRST READING

Mr. Speaker: It has been moved by Councillor Boyd and seconded by Councillor Southam that Bill #12, an Ordinance to Amend the Liquor Ordinance, be given first reading. Ready for the question? Are you agreed with the question? Any contrary? The motion is carried.

MOTION CARRIED

Mr. Boyd: I would move that Bill #12, an Ordinance to Amend the Vital Statistics Ordinance be given second reading.

BILL #12 SECOND READING

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

Mr. Speaker: It has been moved by Councillor Boyd and seconded by Councillor Southam that Bill #12, an Ordinance to Amend the Vital Statistics Ordinance, be given second reading. Are you ready for the question? Are you agreed with the question? Any contrary? The motion is carried.

MOTION CARRIED

Mr. Boyd: I would move that Bill #9, an Ordinance to Amend the Motor Vehicles Ordinance, be given third reading.

Mr. Southam: I second the motion.

Mr. Speaker: It has been moved by Councillor Boyd and seconded by Councillor Southam that Bill #9, an Ordinance to Amend the Liquor Ordinance be given third reading. Are you ready for the question? Are you agreed with the motion? Any contrary? The motion is carried.

BILL #9 THIRD READING

MOTION CARRIED

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MOTION CARRIED

Mr. Boyd: I would move that the title of Bill #9, an Ordinance to amend the Motor Vehicles Ordinance be accepted as written.

Mr. Southam: I second it.

Mr. Speaker: It has been moved by Councillor Boyd and seconded by Councillor Southam that the title of Bill #9, an Ordinance to Amend the Motor Vehicles Ordinance be accepted as written. Are you ready for the question? Are you agreed with the motion? Are there any contrary? The motion is carried and Bill #9 has passed this House.

BILL #9 PASSED

Mr. Taylor: Mr. Speaker, I would move that Bill #10 be given third reading, an Ordinance to Authorize the Commissioner to Lend Money to the City of Whitehorse for the Construction BILL #10 of Municipal Works, be given third reading.

THIRD READING

Mr. Southam: I second it.

BILL #10 THIRD READING

Mr. Speaker: It has been moved by Councillor Taylor and seconded by Councillor Southam that Bill #10, an Ordinance to Authorize the Commissioner to Lend Money to the City of Whitehorse for the Construction of Municipal Works, be given third reading. Are you ready for the question? Are you agreed with the motion. The motion is carried and Bill #10 has been given thirds reading.

MOTION CARRIED

MOTION CARRIED

Mr. Taylor: I would move that the title of Bill #10, an Ordinance to Authorize the Commissioner to Lend Money to the City of Whitehorse for the Construction of Municipal Works, be adopted as written.

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

BILL #10 PASSED

Mr. Speaker: It has been moved by Councillor Taylor and seconded by Councillor Southam that Bill #10, an Ordinance to Authorize the Commissioner to Lend Money to the City of Whitehorse for the Construction of Municipal Works, that the title be accepted as written. Are you ready for the question? Are you agreed with the motion? Any contrary? The motion is carried and Bill #10 has passed this House. At this time Mr. Commissioner I would respectfully ask your assent to Bill #9, namely an Ordinance to Amend the Motor Vehicles Ordinance and Bill #10 namely an Ordinance to Amend the Motor Vehicles Ordinance and Bill #10, namely an Ordinance to Authorize the Commissioner to Lend Money to the City of Whitehorse for the Construction of Municipal Works. the country of the country of the country of

BILL #9 & BILL #10 ASSENTED TO

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Mr. Commissioner: Yes, Mr. Speaker, I happily give my assent to Bill #9 and Bill #10 likewise. रक्षात्र के अस्ति के स्वर्धित है। उन्हें के प्रति के स्वर्धित है। अस्ति के स्वर्धित के स्वर्धित के स्वर्धित है।

Mr. Speaker: Thank you. This gentlemen, I believe, completes our routine for the morning. What is your pleasure at this

Mr. Taylor: Mr. Speaker, I would move that Mr. Speaker do now leave the chair and Council resolve into the committee of a whole for the discussion of Bills, memorandas, and sessional papers. Commence to sended the send accept.

Mr. Southam: I second it.

Mr. Speaker: It has been moved by Councillor Taylor and seconded by Councillor Southam that the Speaker do now leave the chair and Council resolve itself into committee of a whole for the discussion of Bills, memorandas, and sessional papers and most particularly matters concerning Council. Are you ready for the question? Are you agreed with the motion? Any contrary? The motion is carried and Mr. Taylor will take the chair in the Committee of a whole.

> Mr. Taylor: Gentlemen, I will call a short recess until we get our papers together.

Mr. Taylor: Gentlemen, I will call the committee to order and the first thing on our agenda is a matter raised in Council this morning and it has to do with the eligibility of a Member, I believe, to sit in our midst. Gentlemen, will we proceed.

Mr. Shaw: First gentlemen I would like to give my position in this mix-up. As Speaker I was advised as I read out in the correspondence this morning and it is my attitude that my position, I may be wrong in this I think I am right, that I have the authority in Session which is given to me by Council

Mr. Shaw continues..... but when Council dissolves I revert back to a Member from Dawson, however it is often necessary to conduct correspondence occasionally or from time to time and to sign it as Speaker as references are made in that manner. So, all I could do as far as I thought was take the action that I took and give . no decisions because this is a matter which is entirely in ELECTIONS the jurisdiction of this Council. Whatever may happen, it appears to me that the courts have no jurisdiction to say RE: BOYD what is right or wrong in this matter, this is something for Council to decide and as Council was not in Session I had no authority to take on myself any action whatsoever except what I have taken and I hope that has the approval of Council. I am not sure whether it was right or not but that is my position in this, now it is up to Council to decide. They are the ones that have to decide.

Mr. MacKinnon: I understand that we had a case of the same similarilty before in Council and I would like to see this discussion postponed and I would also like to have presented to Council the Votes and Proceedings of the time the action was taken against Mr. Chamberlistand I feel that this is a matter of upholding the Constitution and I would personally like to have a chance to peruse the Votes and Proceedings of the last action that Council has taken on this type of thing.

Mr. Taylor: Mr. Southam, will you take the chair. Mr. Chairman, in respect to this I don't think there is any similarity to anything that has gone on in Council since I have been here. It appears to me, from the knowledge of the situation and from the correspondence read in Council this morning that the matter is quite clear and I think for the edification, it states in Section 9. subsection (c) of the Elections Ordinance, Chapter 34, that: "every person accepting or holding any office, commission or employment, permanent or temporary, in the service of the Government of Canada or the Territory, at the nomination of the Crown or at the nomination of any of the officers of the Government of Canada or the Territory, to which any salary, fee, wages, allowance, emolument or profit of any kind is attached during the time he is so holding any such office, commission or employment." He then is not eleigible for office or in this case to be nominated or elected to the Council. Now here I think we have a situation which is clearly cut. The Member involved hasn't received or taken advantage of any funds in this respect and then there is no infraction of the Elections Ordinance unless someone can show me where there is under any section, I have not been able to find it, there is any other restriction. I might say that all members were present last Spring when the honorable member from Whitehorse East was asked to take this on as a duty of organizing the census. might say too that he has done a commendable job, especially at his own expense, having received noremuneration for his job because of this impediment we find here in the Elections So, I say it is my firm feeling that there is no infraction on the part of the member. It would all hinge on the fact whether or not he accepted pay for this duty and this member has not accepted pay and therefore in my opinion there is no question here and the member is certainly free of being encumbered by this section. Thank you Mr. Southam.

Mr. Watt: Mr. Chairman, in respect to this matter there is a bit of a cloud hanging over our heads and it is with some justification. In the last Session when we were in Council here I was worried as to what I could do or couldn't do as a bit of a contractor and how far I could go, what monies I

ELECTIONS ORDINANCE RE: BOYD

Mr. Watt continues..... could accept, what type of work I could do. Mr. MacKinnon was involved in this too as he was transporting children to school. We wanted to know just what we as Councillors could do, just where was that line drawn. As long as that line was drawn we would tow the mark and this is when we were asking the Administration to help us find where this line was. After this, the other members involved said "enough of this, we have spent too much time on this already'. Now he is involved, and if Mr. Boyd had carried the subject a little bit. further he would have found have known what he could have done and what he couldn't have done. I believe we are all elected under the Canada Elections Act as amended to apply to the Yukon Territorial Council. The Act determines our elegibility and our position and the rules under which we were elected. I was here when we had the Chamberligt case before and there are some similarities and in that particular case Mr. Chamberlis was given his choice, he could either drop his contract, or he could resign his seat, or thirdly, the seat declared vacant. It is unfortunate that Council is in this position right now and it appears that we have gone over our heads. Personally I think that in fairness to Mr. Chamberlist and in fairness to everybody else that the precedence has been established and Mr. Boyd should be given the same opportunity of choices. He can't dropthe contract because it is all finished. Secondly, he could resign the seat. If he wants to he can resign. And thirdly, declare the seat vacant and that would be hasty. But option number one of dropping the contract, I think it would be satisfactory since Mr. Boyd has gone into this not knowing, that if he didn't cash the cheques or receive the remuneration for this --- if I had fallen into the same thing all I would ask the Council for the same opportunity. If I had done work that I shouldn't have done and did it unknowingly then I would come to Council and say I did not cash the cheques or accept the money and this is all I would ask Councillor Boyd. That would eleminate any thought that I was in here for personal gain. If I were in Mr. Boyd's position I would ask for this opportunity. Mr. Chamberlist was given the opportunity of dropping the contract and he didn't want to do it and Council had no other choice. I think Mr. Boyd should be given the same opportunity. I could fall into the same thing easily in the business I am in and then I would like the same opportunity. That is how I feel about the matter.

Mr. MacKinnon: Mr. Chairman, I think that what Mr. Watt has come up with is very good and very reasonable. I would like to remind the Members of Council of the first session that I sat in that I did request a change of constitution and it was felt by various members that it was not at all necessary. Mr. Boyd was one of those members. I did explain at that time my own standing in regard to our constitution and in future I feel that this is getting more serious. We are anticipating the takeover of the Alaska Highway and under the consitution under the present time it could cripple my business to be a member of the Territorial Council. I could no longer sell gas as I am not allowed to receive a revenue cheque and I could no longer house and feed road crews which I think is definitely wrong and I wanted it given consideration some time ago. I am bringing this up at this point because of the difficulty that Mr. Boyd is in at this time has to do with our constitution. I think there is lots of room to ascertain it and I think it is very important to me as an individual member and the type of member which we will have here on the Territorial Council in future. The second of the s

Mr. Shaw: Mr. Chairman, I agree with some statements of Councillor MacKinnon. There are certain things that do happen to make it very very difficult for members of Council and possibly some thought could be given to the possibility of some changes being made in future. I know myself personally that I have had opportunities to do business with the Territorial Government and I have had to flatly reject anything that involved money whatsoever except what service that I purchased from the government. I purchased some lumber I paid for it accordingly as to what everybody else was paying. I couldn't RE: BOYD get it anyplace else and it cost a lot more too as to what I could've paid someplace else. Now, to get back to this, there are a lot of things involved in this unfortunate occurance that have precedence. There is no analogy between that or very little to the very unfortunate occurance a few years ago. Now, Councillor Boyd accepted this appointment and I think that all the gentlemen gathered here today will agree that we all knew about it. We are I would say all equally guilty in not bringing this to the attention of the member. After all they say that ignorance is no excuse for the law. Sometimes it could be a valuable excuse but you knew and I knew that this was contrary to the Act. However, as I stated in the letter I accept my blame of not mentioning the matter before along with the other members of Council. The member in question undertook this task without realizing that he had done something unethical. So, what did he do, he wrote to me, informed me about it then and later on when the remuneration came for this task he returned t to whoever gave him the money. So, what he did Mr. Chairman was to gain but what he did was a personal service. That is what it boils down to. My conclusion is that it was a public service. He did receive his expenses to go out so there was a little bit of a cloud at the start but remember certainly he did everything in his power to rectify when he had realized that it was a mistake. I think that the cloud had been it dispelled. Maybe it isn't public knowledge but it will be public knowledge now I presume, that is why I tabled it. He didn't accept any remuneration and under the circumstances it was an honest mistake and therefore I cannot see any cloud. The only cloud is that we all allowed this to take place. To go a little further Mr. Chairman and look at the position that we are in today right at this very moment and this is entirely different than what it was in June. Entirely different. member from Watson Lake has read the section covering this particular matter that a person is not eligible to be elected or sit on Council--well this matter is finalized or finished and therefore the member at the present moment is just as eleigible to sit on Council as he is at any time. I don't think that any member at this Council could say that any member is ineligible. Those are the facts. Let's get down to facts and say that we did take it to court. I am sure that it would be said that the condition didn't exist. What did exist in June was rectified by the member and I think that in all fairness all of us will agree that it was an honest mistake that we all can make and remember that he did rectify that mistake. As far as I am concerned Mr. Chairman I am satisfied that under the circumstances that I have outlined there is no cloud over the Council and there is no cloud over the member. There was a mistake and it was rectified and as far as I am concerned the matter is closed.

Mr. Taylor: Any further discussion?

Mr. MacKinnon: Mr. Chairman, Mr. Shaw assures Council that they were aware of the proceedings before they happened. I

ELECTIONS ORDINANCE RE: BOYD

Mr. MacKinnon continues.....

would like to tell Mr. Shaw that there was nothing in the Votes and Proceedings to indicate the position that Mr. Boyd was taking. The Votes and Proceedings merely read that at one point Mr. Boyd was seeking holidays from Council to go to Vancouver on business, government business. What type of government business I was not aware. Mr. Boyd had had never made any of us aware of that—I am not aware if he had made other members aware, but there is nothing in Votes and Proceedings, to indicate the position he had accepted.

Mr. Taylor: Mr. Chairman, I think that the honorable member from Dawson has clarified this as clearly as anybody could. There hasn't been any member charged here really by any other member. I feel that the member from Whitehorse East in this respect when he was in doubt as to whether or not he was indeed getting to a position where he may make himself inelegible to sit on Council sought advice and found that it had been if he had accepted revenue he wouldn't have been eligible and placed himself in a very unsatisfactory position. But we have been assured that no remuneration has been accepted and therefore there has been no contravention of the Elections The matter did have to come before Council as the Ordinance. matter is one mainly that we can discuss in Council ourselves and we do, as Mr. Speaker properly pointed out, have to take some action in order to dissolve this matter and spell it out clearly and I don't know. I would like to propose a motion at this time to dissolve the matter once and for all and that Council can make a decision that is clear cut in this respect. It would be moved by myself that in the opinion of Council the member from Whitehorse East not having contravened Section 9., subsection (c) of the Elections Ordinance should rightfully retain his seat on the Yukon Legislative Council.

Mr. MacKinnon: Mr. Chairman, I think this is rather hasty as I first requested to have an account of Votes and Proceedings of the last infraction of the constitution at which time I was not a member and I was never fortunate enough. to have had an opportunity to read them and study the action they had at that time taken. I think it only fair that every member have a chance to peruse the action that was taken at that time.

Mr. Taylor: Mr. Chairman, I would just like to respectfully submit that what happened before and anyone that is interested has had a chance to peruse this especially since he knew that this was coming up. I might say that this is where a member was charged with an infraction against the Elections Ordinance and was charged with this in Council. I don't recall anyone here charging anyone now so there can not be any similarity. This is a matter that this Council at this particular moment can decide. I must remind you that there has been no charge levied in my knowledge against the member from Whitehorse East.

Mr. MacKinnon: In reply to Mr. Taylor, for his edification I would like to say that I was not aware of this coming up. If Mr. Taylor was aware then there are secrets being passed around the table and I have not been able to get in contact with them. I was very unaware of this being brought up.

Mr. Taylor: I can only say I think the honorable member should pick up his mail as stated.

Mr. Thompson: Mr. Chairman, first of all, I will second Mr. Taylor's motion and that I concur with the member from Watson and Dawson on this matter. I feel that it has been expounded quite fully. I think that most of us have reached a conclusion one way or another and I fail to see where bringing up back issues have any bearing on the case and so I would suggest as the mover of the motion as stated that to bring it to a head and finalize it let's take a vote on it.

> ORDINANCE RE: BOYD

ELECTIONS

Mr. Watt: To speak on the motion--we are entitled to speak on the motion aren't we? The motion states there has been no infraction of the Elections Ordinance or Act. If there hadn't been an infraction then this matter wouldn't be before us. If Mr. Boyd feels there has been an infraction. If there hasn't been an infraction then why is it before us. As far as I am concerned it could be corrected if Mr. Boyd would assure us that he would receive no remuneration for this and this would certainly satisfy me and everybody. Suggestions have been made to me that Mr. Boyd did do this for personal gain, not only monetary but political gain. He employed people to help oust or set up a member. However it would satisfy me if Mr. Boyd simply refuse to cash the cheques and not have any personal gain. If this motion is called I will simply have to refuse to vote on it because it says there has been an infraction and there hasn't been an infraction so if the mover and seconder would just withdraw their motion and Mr. Boyd would give us his assurance then I would be satisfied that the matter should be dropped.

Mr. Taylor: Mr. Chairman, as mover of the motion I am not prepared to withdraw the motion. I might say that the inferences drawn here are serious indeed and I would certainly like to see if evidence of this can be produced at this time. I have confidence and respect for the member involved here and I really feel badly that some members suggest or feel that the member has operated in a disrespectful manner as I am confident that this is not the case. I think the honorable member should be complimented for doing such a thankless job and such a monumental job for the Territory at a loss to him-self through the sacrifice he has to make as being a member of the Council. There is no evidence here that he has acted wrongfully.

Mr. MacKinnon: I can only disagree with Mr. Taylor's motion and I do feel that Mr. Watt has made a very good point. During Mr. Boyd's appointment he was in the capacity and control of various census-takers throughout the Territory. I have had two of his census-takers come to me personally and tell me at that time that Mr. Boyd had advocated them running for Council to defeat my position.

Mr. Shaw: Mr. Chairman, I hope we won't get into any recriminations politically, being what politics are. There are times here when I might get mad at anyone here and say things and the next day change my mind. Gentlemen, there are times when I wish all of you were someplace else. I think, however, that Councillor Watt has a very good question. I do have this letter here from Councillor Boyd stating that he is returning the cheques and maybe it would be most appropriate that the Councillor state that he has returned this remuneration.

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

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Mr. Chairman: dliwill now call the Committee back to order, and and I will turn the Chair back to Mr. Taylor.

Mr. Watt: Mr. Chairman, Mr. Shaw had asked me a question. BOYD RE If Mr. Boyd gave us his assurance that the cheque that he has returned was not mailed to him again... in other words, ORDINANCE if this cheque were not used by himself...if he accepted no remuneration for this, this would eliminate any criticism that could be levied against the Council or himself with respect to conflict of interest. This would satisfy me, but if he would not give us his assurance and the question is called on this Motion, I am sorry I am just going to have to vote against the Motion. I don't think the Motion is right and if Mr. Boyd will simply give us that assurance, the maker and seconder of the Motion could withdraw it and it would certainly satisfy me. Mr. Boyd could simply make a statement and that would satisfy me and any criticism would be satisfied.

Mr. Boyd: Mr. Chairman, what I was going to rise on...the point I was going to rise on, I don't see really how I am prepared to do what Council requests of me. Now, which comes first? Mr. Taylor's Motion or Mr. Watt's request as far as Council is concerned? Which do you want to deal with first? Which is right and which is wrong? There is the constraint with the constraint of th

Mr. Watt: Mr. Chairman, if you deal with the Motion, then there has been no violation according to Council and we are up for criticism on the Motion and there's no point in even discussing what I suggested. All I am simply asking is simply a statement from yourself, an assurance. I'll even put you on the honour system. I won't even ask for it in ... writing that you will not cash this cheque and the Council and yourself will not be up for criticism or conflict of interest. Would you read that Motion again, Mr. Chairman?

Mr. Chairman: Gentlemen, for clarification, the Motion and the in essence states that the Member from Whitehorse East by not accepting any revenue for the position of Census taker is and should rightfully retain his seat in Council. If on the other hand the Member should accept any revenue from this service as Census Commissioner, then, of course, he as a would naturally be in contravention to the subsection. So, instruction de garden the Motion is quite clear.

Mr. MacKinnon: Mr. Chairman, I have a question I would like to ask Mr. Boyd. It is with regard to plane fares. Has about there been any payments of plane fares concerning this is a second appointment and if so, I feel that Council at this time should be aware of it...or other expense monies?

Mr. Boyd: Any out-of-pocket money was reimbursed. Any out-of-pocket money was reimbursed...such as plane fares.

BOYD RE ELECTIONS ORDINANCE Mr. MacKinnon: Then there was an infraction, therefore, I could not go along with Mr. Taylor's Motion. There was an infraction. We must face it even though it is not nice. It is something we don't like to handle but we must be honest with ourselves and honest with the public.

Mr. Chairman: Gentlemen, at this point I would like to direct a question from the Chair and that question would be directed to our Legal Counsel - in such cases as we discussed today, are room and board and transportation considered to be remuneration?

Mr. Legal Advisor: Mr. Chairman, that would be part of the set of decisions that Council itself would have to make in the present case. The Court might rule one way but on the particular facts that you have before you in this particular case. It's for Council to determine whether out-of-pocket reimbursement would be within the mischief of the section. It's for Council.

Mr. Chairman: Thank you, Mr. Legal Advisor. Just in order that we don't get too sidetracked here, I will just repeat this, gentlemen, to possibly save time and to enlighten Members. We speak of here, "to which any salary, fee, wages, allowance, emolument or profit of any kind is attached during the time he is so holding any such office, commission or employment". Proceed.

Mr. Watt: We don't even use that book. We use the Canada Elections Act as Amended by the Territorial Council. We don't even use it. Anyway...a while ago.... I think our Rules say that if any Member of the Committee requests a Motion to be read.... the request can be made by any Member at any time and I made the request quite some time ago before Mr. Chairman began speaking from the Chair. Could we have the Motion read again, please?

Mr. Chairman: Certainly. The Motion reads "Moved by Councillor Taylor, seconded by Councillor Thompson, that in the opinion of Council the Member from Whitehorse East, not having contravened section 9, subsection (c) of the Elections Ordinance, should rightfully retain his seat in the Yukon Legislative Council". Would you proceed, gentlemen.

Mr. Southam: Well, gentlemen, this is a thing that might be a little bit beyond me. I can't see what all the smoke and fire is about. I certainly knew when I was in Council that Mr. Boyd was going as Census Commissioner, or whatever the title was. He sat right across from me and said so. I think that anybody that was here that day at that particular moment, I think, knew it. This may not have been said in Council but it was said right at this table. Right here. Right here and we all gave him our blessing.

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Mr. Watt: No.

Mr. Southam: We all gave him our blessing.

Mr. Watt: No.

Mr. Chairman: Order, please.

Now, what is the big argument? Councillor Mr. Southam: Boyd has done the job. He has accepted no remuneration for ELECTIONS it. Why was it brought to the attention of the Council after the Census had been in operation three weeks? Where did it come from? Well, we all know where it came from. And why is a thing I would like to know. And why? I see nothing that Councillor Boyd has done that he has not rectified. He has returned his remuneration for it and I see no reason whatever...whatever...that he should not retain his seat in my estimation. I can't see where this has anything to do with the Chamberlist case. Mr. Chamberlist, as I understood it, was an Electrical Contractor, and he had contracts which had to do with the Territory. This is something different in my estimation. I still can't understand why, when we all knew, and he asked our permission to go to Vancouver, and why he was going to Vancouver - at least I knew it, and I am positive pretty near everybody around this table knew it. So, therefore, I cannot see why all this smoke and fire to clear up a little thing like this. I have every faith in Mr. Boyd. If he returned these cheques, he's not going to get them back because it states right here that if he accepts anything, then automatically he is out. So, what is there to fight over? There is nothing that I

Mr. MacKinnon: Mr. Chairman, I have been employing staff for quite some time, and I believe that fares, room and board, is remuneration. In fact, it is added to and tax deducted from an employee on those basis. So, as Mr. Southam has stated, if Mr. Boyd has not received any part of this, then there is no infraction, but Mr. Boyd states that there is an infraction, that he did receive room and board, plus fares.

Mr. Shaw: We are kind of getting off the track but let's put it this way, Mr. Chairman, with respect of the statements of Councillor MacKinnon. I think we could analyze it this way. If Councillor Boyd has created an infraction of the Rules of Council by accepting this plane fare, then we are all in exactly the same boat when we go to Ottawa, or when we come from Dawson to here. I've been doing it for quite some number of years and getting away with it because I accept plane fare on Government business and I think that if you look and analyze something such as that ... when a company, or when a Government, or when an individual employer sends an employee on a task, whatever that task might be, those expenses are considered by the Income Tax Department as a necessary part of that particular trip or transaction. It is not considered as a profit. It is considered as a necessary part of operating the business and when the Income Tax Department accepts something as a necessary part and not a profit, I can assure you, gentlemen, they take a very dim-view on what's a profit and what is not a profit and when they say that's necessary and not a profit and it's proven by our expenditures that we get for travelling back and forth... I can't see... there's no difference between this and what we receive as Members travelling hither and yon. It's the same kind of thing.

Mr. Southam takes the Chair.

BOYD RE ORDINANCE:

Mr. Taylor: Mr. Chairman, I can only agree. I think... ELECTIONS having had an opportunity to think about this....that any one Member of this table who was called upon to fight a forest fire in the Territory during the summer, for which revenues are paid from the Federal Treasury or the Territorial as it may be....they do come from Federal, and who accepts a plane ride to a forest fire and who accepts food while fighting this fire, even though he accepts no money in payment for this service, would also be contravening and I mean this... the Ordinance is not designed this way. The Ordinance does not provide that this is an infraction so I would not bear too heavily on this point. I think those are things which are done in order to aid and assist a man in doing his job for which there is no profit showing. I think here is the question, and the Ordinance clearly states in kind that it must be a profit, something over the cost of the exercising of this function that is involved here. As far as I am concerned, without getting too much deeper involved, I think the matter has received sufficient discussion in my opinion, Mr. Chairman, so as to have allowed all Members to consider this in all its aspects and to make up their mind and I would respectfully call for question on the Motion.

> Mr. Watt: Mr. Chairman, I would just like to straighten the record out. The statement has been made that we in a this Council gave Mr. Boyd our blessing to go and do this job before at this Council. The person that made that statement.... I challenge him to show me the Votes and Proceedings. I did not give him my blessing. That is a false statement. I didn't even know it until afterwards, and if Mr. Boyd was making a trip to Vancouver, I'm not snooping into Mr. Boyd's business, Mr. Shaw's business or anybody else's business. If something comes up afterwards and the public challenges me with respect to the conduct of the Council here, then it is something that we have to deal with if the charges warrant it, and in this case there is some justification for the charge. I think Mr. Boyd walked into this possibly unknowingly, and I am willing to let him make amends and eliminate both the Council and himself from this charge that is against us, this cloud that is hanging over our head, by simply refusing to accept these cheques, and if I happen to fall into the same type of a pitfall, I would like the Council to give me the same consideration if this were to happens I wanted to straighten the record on the remark that Mr. Southam had made. I did not sit here in this Council and give Mr. Boyd my blessing, or anybody else my blessing, knowingly, to violate the Elections Act.

> Mr. Taylor: Mr. Chairman, just to clarify the record, in thinking back, if my memory serves me correct, it may be that Councillor Watt was not present in Council when this happened.

> Mr. Chairman, I did not extend my blessings Mr. MacKinnon: to Mr. Boyd on this particular occasion. Had I of known about it, possibly I would of, but I feel that Mr. Southam did make a false statement when he indicated that the entirety of this table gave Mr. Boyd their blessings. I was not present.

Mr. Southam: In answer to Mr. MacKinnon, I don't think I

made any false statement. If I did, you were not here.

There were several times that you were not here, and also

Councillor Watt.

BOYD RE

ELECTIONS

ORDINANCE Councillor Watt.

Mr. Watt: I suggested this that we did not give him our blessings. I would like to see the Votes and Proceedings and if it was done, it would have had to be done at some secret session where we were not present.

Mr. Taylor resumes the Chair.

Mr. Chairman: Well, gentlemen, I think that the debate at this particular point is digressing. I would ask for your indulgence. I think this debate is degenerating to the point where tempers could flare and this type of thing and I don't feel that we as responsible gentlemen should go to this extent. I would ask you to temper your remarks.

Mr. MacKinnon: Yes, Mr. Chairman, just to clarify the situation, I would like to say that what Mr. Southam has charged me with is not correct. There was only one occasion that I have ever missed any time from this Council since I have been elected and that have been elected and that was the morning I had taken my wife to the hospital and I asked permission of Council to come

Mr. Boyd: Mr. Chairman, may I speak? This is an inconsequental small point as far as I am concerned, and I am waiting for direction. If Council will decide whether they want to vote on this Motion or whether they want me to answer Mr. Watt, I will be glad to oblige, but until I know which way you want me to go, I can only sit here. I suggest you do one thing or another, now, as far as I am concerned and get me off the hook.

Mr. Shaw: Mr. Chairman, Mr. Watt has raised a question which I think in all fairness requires an answer. Mr. Watt has asked Councillor Boyd a very straight forward question. I can't give the exact way it was phrased, but it was to the effect that Mr. Boyd, as we can see from this letter, has sent this cheque back. Is it his intention that he is not receiving this remuneration back? In other words, this is sent back and he does not receive it again. I think that was the question that Councillor Watt asked, but I don't think he had an answer.

Mr. Thompson: Mr. Chairman, I think anything further to be said on this matter would be repetitious and there is a Motion before the House. I think that the Motion takes precedence over the question because by the passing of the Motion, it will answer the question. I would call question on the Motion.

Mr. Shaw: Mr. Chairman, I would like to say that my vote will be in relation to the fact that I have accepted the premise, let's put it that way, that Councillor Boyd is not accepting remuneration for labour performed.

Mr. Chairman: Gentlemen, the question has been called. The Motion is as follows: That in the opinion of Council, the Member from Whitehorse East, not having contravened section 9 subsection (c) of the Elections Ordinance, should rightfully retain his seat in the Yukon Legislative Council. At Dist

MOTION CARRIED ELECTIONS ORDINANCE

BOYD RE (The Motion was carried with Councillors Watt and MacKinnon) contrary.

Mr. Chairman: At this time, I will declare a short recess.

Mr. Chairman: I will call the Committee back to order. I believe Councillor Boyd did have something which he wished to raise at this time.

Mr. Boyd: Yes, Mr. Chairman. First of all, I wish to thank Council for their fair play. I think that is all I need to say about that. I hope that if I am in the same position that I will be able to have the same ideals, but going back to the money - I don't mind losing the money.

It's not my arm or my leg, but I earned this money and it rightfully belongs in the Yukon and I would like to see it in the Yukon, given to some organization that has very good use for it, rather than allowing it to fall in the hands of Treasury to toss it around as though it was only so much dust anyway, but we haven't got it to toss around up here, and I am wondering if Council would consider having this money turned over without any publicity, fanfare, vote getting or politicing on my part...nothing said...to say the Historical Society, in order that they can get a little more money for their Museum.

Mr. MacKinnon: Mr. Chairman, I do not think this would be proper. This could be taken into consideration as more or less, I would say, election bribery and I don't think that this would be proper. If Council was to seize this money and turn it over to some institution as a donation from the entire Council, I believe it would be appropriate not of one individual giving a handout of money that has been denied to receive. I think this would be considered as beneficiary in an election.

Mr. Boyd: It is only a suggestion, gentlemen. You can say yes or say no. It couldn't matter less to me, but I certainly think that the money should at least get into the Yukon for some good use because there is no sense in leaving it with Ottawa. It means nothing. They'll even have more trouble....they'll spend more than what it's worth to get it back in their account again somehow or other. It could matter less to me though. It's only that the money belongs rightfully in the Yukon. I don't want it. You can donate it as Council, the City, or anybody else. It could matter

Mr. Watt: Mr. Chairman, this would certainly satisfy me. If he would have said that before I don't think the Motion would have been necessary and I think you would have had the unanimous support. You would have had my support anyway on this. That would satisfy the charge of conflict of interest.

Mr. Southam takes the Chair.

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Mr. Taylor: I think the suggestion made by the Honorable Member from Whitehorse East is most commendable however there is a problem in that in order to receive this money to retransmit it to any source it would be contravening the Ordinance because it would have been received in order to be passed along so, of course, this would not be the proper thing to do. I fear, regretfully, that this money will fall back into the Yukon Treasury Federal Treasury .. but this is most regretable indeed. I feel that this is the proper course of action in this particular instance.

Mr. Boyd: Maybe so, but it may be that we could request the Department of Statistics to simply change the payee to read so and so and forward it to them if you wanted to. ORDINANCE

BOYD RE ELECTIONS

Mr. Shaw: Mr. Chairman, I will just say a few thoughts that I have. I think it's very commendable...this suggestion of Mr. Boyd's. There's only one little sticker and that is if he signs his name on that cheque, what he does with it is not the point. He has received the cheque. He has received the remuneration. If it would be possible to have the cheque made out to the Historical Society or whoever it might be directly, I think it is most commendable....a very, very good idea. We still have the law that if he receives it himself...well it's not their concern...it's not any one's concern...it's not the Council's concern what Mr. Boyd does with the money if he should receive the money. That is not the point. He might have a sick mother or any number of things. The point is that under the law, I am afraid I have to go according with the way that the law is in my own mind. Under the law, he cannot receive that money but if he could take that money and have it sent to the Historical Society or whatever charity, I think that is very commendable. If not, I am afraid it will have to go back to the Receiver General from whence it came.

Mr. Boyd: Mr. Chairman, I wonder if Council would give me their agreement to...if I can get this cheque changed and have my name deleted entirely.... I have no desire to receive the money and turn around and donate it because I am going to be charged income tax on it on top of it. My point is that it should not be wasted. The Yukon people here are struggling for money and they can't get it.

Mr. Taylor: Mr. Chairman, I think the point is quite clear that if the Federal Government would like to donate a like sum, that which the Member made, that would be one thing and I think that is the matter that the Member may draw to the attention of the Federal Government...pointing out that he cannot receive this money in any way, shape, form or part and the Federal Department involved may feel that they would like to donate a like sum to some Yukon charity. This may work, but I would suggest that no action be taken by this Council in this respect. This is something that only the Member can do.

Mr. Watt: Mr. Chairman, I would like to suggest that it's going to cost the taxpayer another couple hundred bucks if we talk about this much longer. I suggest that we drop the matter right now. I believe it is contrary to our Rules to discuss the Motion after it has been passed anyway. I suggest we drop it.

All: Agreed.

Mr. Commissioner: I have some answers to things that have been requested of me in the last day or two. The first one concerns a question that Councillor Watt asked of me yesterday concerning the contract renegotiations on the Museum. On looking into this, I find that the Yukon Historical Society has conducted all the business in connection with the calling of tenders and the awarding of contracts in connection with the Museum. We here in the Territorial Government are acting

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CONTRACT RE Mr. Commissioner continues:

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Salyan introd as the money transfer agent between the Federal Government and the Yukon Historical Society and our reference on this, Mr. Chairman, is simply to pay out the monies up to \$75,000 for the specific purpose of erecting this Museum so I am afraid I cannot secure any details internally here, Mr. Chairman, as to the question that was raised concerning the renegotiation of this contract. You would have to refer directly to the Historical Society for this.

A No. 1 April Mr. Watt: A supplementary question to that that possibly Mr. Commissioner could answer. Is the Engineering Department in any way involved with the supervision or the drafting or the supervision of anything at all...inspection of the expenditure of the \$75,000?

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Mr. Commissioner: I would have to secure an answer on that, Mr. Chairman, for Councillor Watt on that. May I? And the question as I understand it is "Does our Engineering Department have, in effect, any supervision or control over the actual physical construction of this building". Is this

Mr. Watt: Yes, and/or have they participated at all or approved the plans?

Mr. Commissioner: May I proceed, Mr. Chariman? enade an en 1971 on Roll for over

Mr. Chairman: Proceed. And Aller and the second and

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SESSIONAL PAPER #3

Mr. Commissioner: We had a question on the subject of fisheries referred to in one of your Sessional Papers. We asked the Director if there have been any communications on this. We received this answer: "No further developments since letter to Dr. Needler although acknowledgement thereto expected possibly saying Fisheries Officials prepared to meet when this can be arranged". This is all the correspondence we have available to us. The subject was raised, Mr. Chairman, yesterday by Councillor Shaw on the subject of Municipal Taxation. I am not in a position to give any answer to this in relation to a letter, a copy of which Councillor Shaw supplied me with yesterday. I asked our Administrative people to look into this this morning and just as soon as I have an answer, I will be happy to supply it to you. Mr. Chairman, there was a further question from Councillor Boyd yesterday concerning the apparent inconsistency of leasing floor space for one period of time and contracting for the services in connection with that floor space for a different period of time. On inquiring of my Administrative people this morning, I find that bth aspects of this are being presently talked about with the purveyor of this space, not only to talk about a specific period of time for the lease or a shorter period of time for the supply of janitorial services but likewise any companion agreement that would supply janitorial services for the full period of the lease. I was also asked what period of time the lease is being spoken of, Mr. Chairman, and I am told it is for a period of ten years.

PROPOSED MOVE

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Mr. Chairman: Gentlemen, in view of the hour, I think I will now declare a recess until 2:00 P.M. this afternoon.

Thursday, November 10, 1966. 2:00 P.M.

Mr. Chairman: I will now call the Committee back to order. We have Bills and Sessional Papers. What is your pleasure? Would you like to continue and maybe clear up some of these Sessional Papers?

Mr. Boyd: Well, Mr. Chairman, let's take a crack at a couple Sessional Papers and then change the atmosphere by doing a Bill or two. Would you agree to that?

All: Agreed.

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Mr. Chairman: Gentlemen, the next Sessional Paper is Sessional Paper No. 15, addressed to Mr. Speaker, Members of Council, Special Commission on Tourism. (Reads the Sessional Paper). I might also draw your attention to the Appendix at the back.

SESSIONAL PAPER #15

Mr. MacKinnon: Yes, Mr. Chairman, I am quite concerned with this document and on behalf of the Tourist Industry I would say that there is a good at least 50% of those people involved that are not in business at this time of year. We are looking for something...and to get an answer from about...I will use the figure 50%...of the people that are involved in this Industry and due to the tourist season having lapsed, we will not have very much in the line of tourism until June 15 I would say at the earliest. This is about the appropriate time to look forward to a full flow of tourists through the Territory. Many of your better business people have closed their operations, oh, about two months ago. Now we are going to start a survey and we are going to absorb the knowledge of the few people that are still carrying on - the people that are still out on the highway and carrying on this type of business. A lot are similar to my case. I must live some where so we might as well keep the place open for the winter. It will not pay. We know this. I think this is a terrible time to suggest a survey by this Department and you will not come anywheres near getting an appropriate answer.

Mr. Shaw: Mr. Chairman, being very interested in the Tourist Industy, I have studied this document to some extent and I notice on the head of page 3 that "it has been difficult for the Department to establish congenial liaison with some of the community organizations". This indicates that something is wrong some place. I am not saying there is something wrong. I am saying it definitely indicates this by this term. Then, later on, it states whereby the Department itself goes out and finds out what's wrong. You are asking the persons to go out and find out what's wrong, what they have done wrong, or what people consider they have done wrong. It would be somewhat difficult to say if I had done something wrong, that I would admit I had done something wrong, or I would agree with someone's viewpoint so that doesn't seem to be the answer. Now, when I say the Department has done wrong, that must be taken in a very, very broad manner. In other words, their Terms of Reference may not permit them to do what other people think is right so it would not necessarily be wrong. That's an Irishman's way of putting it with all due respect to the Irishmen. The people that I am aware of, Mr. Chairman, in the Tourist Industry, and it is a very small segment of the population I will admit, but a very aggressive and important segment, feel that the Department function should be much closer liaisoned and co-operation

SESSIONAL PAPER #15

Mr. Shaw continues: and interest with possibly ideas on how they can improve things. In other words, they look to the Government to show leadership in the particular functions because they are somewhat isolated and may not know all the answers to it and they want ideas. This Tourist Industry must be built up with ideas. It must be built up with ideas that everyone can see together on and push those things forth and things like that. A small community can't get together on an issue. They are divided and the results are usually something negative. So what there must be is closer liaison. I agree with that but unless there is give and take, unless there is possibility for to extend the sphere of what may be contained in the Terms of Reference at this time, we are not getting any place. It works in very, very similar to situations of the Council visiting the Administration and what not. Unless you can get together and say "Well, what is your suggestions for improving it" and talking it over and saying "I agree" and going ahead with this type of thing, I don't think that we will get any place in particular. There is no question that either someone must come up in this Department with a better Terms of Reference for this so there is closer liaison or the views of the people will need to be obtained in order to know in which direction. I think we must accept the fact that the people that are interested in an industry that is of vital importance to them, financially if not in any other way, must have some good ideas on how this or that could be done, but regardless or whether or not the idea may be good, all of them, I know that there are people in the north end of the Territory, that could include Mayo, that could include Dawson, and possibly other areas, that feel that there should be a great deal more ideas emanating from this Department. They have the impression that the Department is purely or mainly concerned with statistics and sending out a whole pile of literature. I will agree that this is a very important part of it but the general liaison between all these community organizations and assistance and knowledge and know how towards the enlargement of this Industry and for the future, I think, is also an important part and I think that persons employed in an executive capacity in we will say a Government, should provide guide lines, very good ones, that will fit in with the general feeling of the people in the Territory rather than just a Government edict or policy. This may be that the Terms of Reference are too restricted. I don't know, but there certainly has to be, I think, a great deal more cooperation to make this thing work the way it can work. Our expenditures each year are going up and going up. Last year I think they were \$104,000 and we must assure that we get every dollars worth of value out of that money and, at the same time, have this harmony that is so necessary and so essential for conducting a successful promotional business. It is admitted in this paper that "it has been difficult for the Department to establish congenial liaison." Well, that indicates right there that it needs some looking into and something should be done. I am not putting any blame on any particular person but I am saying that I don't think it is working the way...at least the way the people expected to work when it was first formulated and it's time that we looked into it and see if we can come up with something that would make it work with a little more harmony.

Mr. Chairman: I will call a short break.

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Mr. Chairman: Gentlemen, I will now call the Committee back to order at this time.

Mr. Watt: Thank you, Mr. Chairman. I agree largely with Mr. Shaw and I am concerned with the overlapping of services in this department. I may be wrong but it appears we have different votes for the Department of Travel and Publicity, Klondike Business Association, Klondike Defence Force, all aiming for the same thing roughly but we have several different votes. It seems an overlapping services here. And, the New Commissioner is probably more familiar with this than I am because he is closer to it. I would like his comments on the possible changes that are necessary.

Mr. Commissioner: Mr. Chairman, in connection with the questions that have been raised by the Councillors here, the questions are realistic and I think they are matters that this paper has been presenting to Council that this Administration is very concerned about, concerned about these very questions. The department's concern is very very vital in so far as day to day cash registers ringing in Yukon is concerned. And, I thought that somebody may remember the time this was set up that we felt this was going to be a co-ordinating point at the government level, or an activity of the community as it applied to tourist promotion. As to what the terms of reference tourist promotion. As to what the terms of reference that were initially set out have been able to do in connection with today's requirements I think the very questions of Councillors that they raised indicate that these terms of reference are not governing the problems that we have today. And, we are actively engaged in seeing what we can do to evolve a program in the department concerned that is going to give the people involved in the tourist industry a program that they feel is comment concerned that is going to give the people involved in the tourist industry a program that they feel is compatible with their requirements. Mr. Chairman, if I may answer, specifically, a question raised by Councillor MacKinnon. I think he has a very valid point in what he says that many people who are actively engaged in providing services to the tourist industry are not available in the territory at this time of the year. I would like to give my personal assurances, Mr. Chairman, to Councillor MacKinnon that there will be no effort left undone on our part to see that these people are given the opporlor Mackinnon that there will be no effort left undone on our part to see that these people are given the opportunity to properly express their views and that is whether they be available in the area or elsewhere. I am sure they must be contactible by mail or some other reasonable means. Mr. Chairman, I assure Councillor Mackinnon that his question will be dealt with properly. We will not be by-passing people's opinions simply because they are not activ-ly on the scene during the time we are getting this survey made. The next question, Mr. Chairman, that Councillor Shaw raised. Effectively, he is asking "how do we get people to condemn themselves?" Basically, this is what Councillor Shaw is asking, and I don't think this is a matter of getting people to condemn themselves. I think it is a matter of people who are in charge of the department, the Department of Travel and Publicity being very anxious to do a job that Council and Administration and the general public will find acceptable. While I recognize the validity of the question being asked I don't

SESSIONAL (Mr. Commissioner continues)

PAPER 15 think it is quite that particular situation, Mr. Chairman. If you follow this thing through you will see we are trying to evolve a program that is going to be what the public are looking for and I am sure that is what the Councillor is looking for. In general people who are responsible for operating this department and my senior administrative staff are working very diligently at the present time to see that this is brought about. If there is anything specifically that any of the Councillors would want to direct to me to see that it is done in the course of this particular study I will entertain these suggestions and will do everything I can to incorporate these suggestions. Does this satisfy your question, Mr. Watt?

Mr. Watt: Yes, thank you.

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Mr. Boyd: Mr. Chairman, it becomes more obvious than ever that the tourist industry is good for sixty or ninety or one hundred and twenty days and then the tourists are gone home, and we know it. But I notice, as Mr. Shaw pointed out, the cost of this department. Now, how are we going to hire an office manager? And I think they say here "team of experts in fields of Publicity Writing, communications, Travel Promotion and Travel Development." I hope Council is not just give the idea that this is all very fine and that we are going to sign a blank cheque for this department. I think we have to look at this point of view as well.

Next year it seems to be understood or accepted that
we will have more tourists than ever. This year we were not able to adequately handle the number of tour-ists we had. It would seem this is the point that this Territorial Government or we Councillors should be con-centrating on. The means of getting some finance into this Yukon and getting something done by the 1st of June in the way of adequate accommodations. Otherwise, as I said before, "unless you bring your bed with you as a tourist don't come."

(Chairman requests Mr. Southam to take the Chair).

Mr. Taylor: It seems each session we get on this point and particularly while on the budget. Each session we have levelled criticism of some sort or another at the Department of Travel and Publicity. I think we agree on the value of this department to the Yukon Territory. But nevertheless, criticisms do from time to time occur and in order to find out whether the criticism is well made a decision was made to institute an impartial study of the whole situation. I believe Magistrate Trainor was to head that. However, for some reason or another the Commission did not get off the ground and this commission did not circulate throughout Yukon to determine just what people thought. And, consequently, it appears to me that the director of the department heading up the to me that the director of the department heading up the study, certainly never, or very rarely, levelled criticism at himself or his own department. And, if there is a Commission to undertake a study I feel that this should be made by impartial people and we can then view that department with a very importance. department with a very impartial manner. The first of the first of the desire to the sale of th

Mr. Mackinnon: Well, I feel, personally, that our Department of Travel and Publicity is completely out of PAPER 15 hand. Four years ago we had an expenditure of about thirty thousand dollars, and during the last session in questioning of the department manager we found that the expenditures had gone up to the extent of a hundred and ten thousand dollars. It was later outlined to us that it was not too serious because Yukon Territory did arrive at a tax figure on gasoline sales to the tourists of approximately one hundred thousand dollars. In my figuring this is not too profitable, and I for one had never this summer seen any part or portion of the Department of Travel and Publicity at my tourist site. And, I am wondering; I pay for public advertisements in various books such as Mile Post, and I am wondering just what the actual value of the department to the Territory is and I am wondering if other members had made a complete survey in their areas to find out the opinions of the general public in their area and to see if we have an actual value in this department or are we just continually building and building on the requests of the civil servants department. I have talked to many people in my area that are very disappointed in this department. And, we naturally, without a department will have continual interest in tourist travel. We are all aware of this, and maybe it is doing something but at the same time I don't think it is doing anything that a little pavement would not replace.

Mr. Shaw: Mr. Chairman, I think we would need to go back a few years ago when we first started with this department. It was started out in a very loose manner, if I may use those terms, and certain terms of reference were made and it is apparent it does not come up to the expectations of the general public that I have had conversation with. Where the fault lays is another matter. I notice in the recommendations we have though that we are going to get another man and he is going to write this travel and publicity and T.V. and another office manager, and different experts we are going to have. Well, I think, insofar, as we started this on a madhouse basis it was never gone into because we didn't know. Members of this Council were not aware of just exactly what we wanted except getting started. And, we did envolve some types of reference. I think, and particularly at this time, that we do not hire anymore experts at this particular stage of the game. Of course, we must first go and find out what the people of the Territory really need. There is no doubt that many areas of the population, and that would include myself, are not thoroughly aware of what a Publicity department should do, or a province, or a territory, so perhaps this could be explained to us. Perhaps in turn I could explain something to the department where I come from, where we could make an improvement and so on. Our Commissioner has had a great deal to do with this very important matter of the tourist industry, a very very important matter of the tourist industry, a very very important one; one that we can count on to increase every year. There will be no shut-down of the tourist industry each year, unless we start getting atomic bombs and then we would have to close anyhow. There will be no shut down of this because of the resources being depleted. It is built up each year-never depleted. But you can deplete it

SESSIONAL (Mr. Shaw continues)
yourselves if you don't use the proper approach to
people that come into the area, the type of accommodations and what not. I would say my recommendations
would be that the first thing is to find out what this
Yukon needs, what the people of the Territory want;
and see if it is possible for government to work out
on the lines of what people are expecting from something
like that, and then after that we can hire the necessary
people if we need them. If we need experts then we can
get them. I think we are well over loaded with experts
in every department of government right now. Maybe if
we had more Indians and less Chiefs things would run
smoother. This is one department that has been in process of some type of change. Let's start right and see

what we need and then get at it.

Mr. MacKinnon: Mr. Chairman, Mr. Shaw mentioned the right type of service and I can whole-heartedly agree we need the right type of service. I have established a public camp ground and it has cost me a considerable sum of money. It is not only a complaint for myself but many people throughout the Territory. And, seeing this is a free service with flush toilet and cookhouse facilities, I feel that the government of the Territory could easily cooperate with such a project but they are not cooperating at the present time. They lease me the ground that this particular camp ground is established on. They not only tax me but they charge me rental for the ground. Now to provide a free camp ground for the travelling public is in my estimation an encouragement to tourism and it has certain valuation. Now, I think we have to start from the ground on this problem and let us work from there. We are getting far out of stride and we are voting dollars and dollars around this table into a department that we are not quite sure what they are doing. I don't think any member at this table is quite sure what they are doing in this particular department, and there is a hundred and ten thousand dollars invested in this department per year at the present time, which could exceed two hundred thousand in the next year or so. Now, this will far exceed our tax revenue on gasoline on the Alaska highway, sold by every individual, for instance— that is where the main tourist trade is. To me and to many of my constituents this does not make practical thinking. It is a terrible situation and the people in this business do realized that we will have the business and business will increase year by year without even having such a sand dollars invested in this department per year at will increase year by year without even having such a department. I feel a department such as this is needed but not to the extent that the department is continually growing into.

Mr. Boyd: Mr. Chairman, one thought that just struck me is we have a business that is good for four months of the twelve and we require a terrific staff of publicity men operating twelve months of the year. It seems when all is said and done an awful lot of work could be done prior to the tourists getting here.

Mr. Taylor: Mr. Chairman, this is the point. I think as you recall at the spring session we were trying to find some of the answers to these problems. It involved

(Mr. Taylor continues)
everything from new literature to the possibility of Presetting up a several million dollar tourist development fund to start providing facilities and all the various and many aspects of tourism. I still say, and this will reflect certainly in my vote at the next spring session and possibly on these Supplementary Estimates now before us, that until an independant study is made from the outside on this department and the tourist situation in the Territory as a whole I will not look too favorably voting more funds for this department. This is something that has been asked on several occasions in Council. An attempt, I believe, was made in 1965 to obtain this and the thing, as I say, went off the rails, and nothing came of it. But I don't think the substitute is the Director making recommendations and using this as a basis upon which to spend more money. I would like to see an impartial study by someone outside the Administration into the functions and activities of this department.

Mr. Commissioner: For what it is worth, I cannot help but agree, with what is said around this table here at the present time. Some aspects of the economy of the Yukon and the internal operations of the Territorial Administration I am not familiar with. But when it comes to tourist business and getting money from travelling public I don't think I have to take a backseat to anyone around here as to my experience with it. And while everything that is being said here is absolutely correct I don't think that it is entirely fair that the actual department itself should be held entirely to blame for the very things they are presently castigated for. Now, there is going to be a lot of things, gentlemen, that I will have to ask your indulgence and forebearance with and I am afraid this is one more of them that I would ask for an opportunity for a matter of a few months to see what we can do internally ourselves with this department to try to get it geared and engineered to do the things that the public expect them to be doing. I am quite confident that we can do this, and while I have nothing but the greatest respect for your asking for impartial and outside people to come and take a look at the operations of this department, I am asking, gentlemen, that you would see fit to avoid coming to grips with this aspect of it until we get a chance to see what we can do internally ourselves. I don't promise you anything except that we will try. If the Council feels that we are not measuring up at that time then I would be the first to suggest that we bring in outside people to take a hand look at it and give us some advice and guidance because if we are spending a hundred thousand dollars of the taxpayers'money we have to show that we are getting a hundred thousand dollars value for the money spent. On this basis, gentlemen, I would ask that you try to see fit to go along with the situation to see if we can try to improve the whole operation along the lines that Council and the public are looking for.

Mr. Taylor: Mr. Chairman, there is just one thing, and I certainly realize that Commissioner Smith is new to the good offices of the Commissioner and it will take him sometime to get together with his administration and to see how it is functioning. I would agree that

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SESSIONAL (Mr. Taylor continues)
PAPER 15 we should know by spring when the budget time comes around. I also notice by this Sessional Paper one problem that this is submitted for our consideration before Council. I want to make it clear that I in no way concur with the decisions as outlined by the director at this particular time, until such a study could be made and more information could be provided. This may or may not be the ting to do. I, at the present time, cannot concur with this. Just because we let it slide I would not want it to be thought that all Council agreed. agreed.

Mr. Shaw: Mr. Chairman, in view of what the Commissioner has stated and other Council members this is the Sessional Paper and they usually get to the case where Council is asked to concur with the recommendations. Well, I do: not concur with the recommendations but I do concur with Commissioner Smith's statement that he will look into it and that it should be left at that.

Mr. Southam: I have not got much to say, Mr. Chairman, on this point. These people probably have not got around as much as they should and probably don't know all the ins and outs. I think probably we should have more advertisement from our neck of the woods. In other words, we have quite a bit to offer to the tourist—different lakes and places to go and I have not seen it advertised in any pamphlet that I have looked at. At the same time looking over the figures I wonder how far or how much of an increase we would have had without a tourist department. Now, I know of five different families that have come to the Yukon last year were guided directly through reading—writing to the Travel Publicity Department for brochures. Now, these five families means forty people — father, mother and bunch of kids. I would say this: they spent considerable money, in fact, I know one of them did. Now, I am just wondering in looking over these figures I see quite an increase from '62 to '65 there is an increase of twenty two thousand; and it is over a million dollars in value, so they must be doing some good. I don't say they are doing it all. I certainly think you would get increases as time goes on— that is true, but I agree that it has some value, and I agree with Councillor Taylor that one of these days somebody has to take a good look at it.

Mr. Mackinnon: Mr. Chairman, I am ouite satisfied that

Mr. Mackinnon: Mr. Chairman, I am quite satisfied that the proposals by the Commissioner should be accepted. the proposals by the Commissioner should be accepted. I feel that he is fully capable of analyzing the value of this department because he has pursued this type of business for a good number of years. I believe at this time this subject could be left in abeyance without any approval of Council on the paper, and give the Commissioner a chance to pursue this department and its wishes, and I would very much like to see this particular Sessional Paper #15 held in abeyance until we hear from the Commissioner possibly at the spring session.

Mr. Chairman: Any further discussion? Clear?

Mr. Chairman: We will now call a recess.

Thursday, November 10, 1966 3:30 p.m.

Birogal , Adiat Mr. Chairman: Gentlemen, we will now call the Commit- SESSIONAL tee back to order and proceed with Sessional Paper #16.PAPER 16 It is addressed to Mr. Speaker and Members of Council re Fiscal Year 1966-67. (Reads Sessional Paper #16).

Mr. Shaw: Mr. Chairman, just one matter -- I was not aware of the fact that we are able to transfer surplus operation capital into projects of non-capital.

Mr. Commissioner: Mr. Chairman, this is part and parcel of the governing agreement -- for your present five-year agreement.

Mr. Chairman: Any further discussion on this paper, gentlemen? to the Charles of the Control of the

Mr. Shaw: I am just happy to see we have half a million dollars running around loose.

Mr. Boyd: I wonder if I may go back to this Travel paper very temporarily while we have it in our minds?

Mr. Chairman: No, we have concluded this fitem. The matter will be raised again in review of Sessional Papers and also Supplementary Estimates. Will this be satisfactory, Mr. Boyd?

Mr. Boyd: I will get along.

Mr. Chairman: We will now proceed with Sessional SESSIONAL Paper #17 addressed to Mr. Speaker, Members of Council PAPER 17 re Motion No. 52 - Alaska Highway Policy. (Reads Sessional Paper #17).

Mr. Southam: Well, it is going to get paved some day!

Mr.-Chairman: Clear on this ?

CLEAR

Mr. Chairman: This is Sessional Paper #18 addressed SESSIONAL to Mr. Speaker, Members of Council respecting Mation PAPER 18 No. 53 - Klondike Restoration. (reads Sessional Paper No. 18).

Mr. Shaw: Mr. Chairman, in this matter I wish at this time to thank the Minister for the facts that he has arranged; that the National Historic Sites Board will be coming to Dawson City to hold their meeting next summer. This is the necessary first stage for such a project as this, and we will have to wait and see what these people will come up with before any further comments can be made. It would appear to me that the Minister has taken very positive action in this matter, and I appreciate that. I am very dubious about commissions and this kind of thing to investigate things but I do realize that anything of this nature where people from all provinces of Canada must go up there. I can appreciate this, and this is a very positive move in this particular direction. Until that time I have no comments on it.

SESSIONAL Mr. Chairman: We proceed to Sessional Paper 19. It is PAPER 19 addressed to Mr. Speaker, Members of Council re Motion No 23 - First Session 1966 Hospital Fund Raising. (Reads Sessional Paper No. 19).

Mr. Thompson: Well, Mr. Chairman, all I can say is that this is 'Operation Pigeon Hole', and until such time as we do some more groundwork on this subject it will just have to--

Mr. Taylor: Mr. Chairman, I whole-heartedly concurthat this is certainly 'Operation Pigeon Hole' when they note that they are going to bear this in mind and they just pigeon hole it. There is nothing more when you talk about rising costs in Administration, rising costs throughout the territory and maintaining all our services, as we have been maintaining by our Administration. I am convinced really that if we had legalized gambling in the Yukon Territory, and particularly in the Dawson area, in view of the fact that historically gambling was undertaken there years ago for a starter, we could raise all sorts of money for hospitals and for could raise all sorts of money for hospitals and for welfare programs and for all these other things, because I am quite sure that if this is immoral by right of the Lord's Day Act and other pieces of legislation, I am quite sure that the churches who call this thing immoral through their religious philosophy, say what they will, are not prepared to pick up the result in tax tab. They are not going to pay the bill for what results from the repression of gambling. So consequently, I think that the changes that have been effected in society that this matter should be reconsidered. I think the answer lies in the suggestion here of the alternative that the Territories and the provinces be allowed to produce their own legislation and controls in respect to gambling. This would be outstanding. Dawson City could be the mecca-- the Las Vegas of the North, and the Territory could well afford with our small population to have some of the finest hospitals, finest parliament buildings, finest schools and the finest welfare program here in Canada.

MR. Shaw: We have that.

Mr. Taylor: Give us the tools and we will proceed with the job! The provided the company of the company of the job!

Mr. Shaw: Mr. Chairman, I somewhat disagree with Mr. Thompson when he said this is 'Operation Pigeon Hole'. This is 'Operation Dodo'. It is extinct!

Mr. Thompson: Extinct or Stink?

Mr. Chairman: Order! Order!

Mr. Shaw: I am a great proponent of this type of business because it is sensible. It is done in many parts of the world, and one is not going to stop the people's gambling instinct by legislation, and the sooner they catch on to that the better. I did realize when this paper was made-- I was certainly in agreement along with other members of the Council but I knew it would get to this 'File Dodo' where the other ones are. It must be a pretty large file by now. and the real to the training of the termination of the

Mr. Boyd: Mr. Chairman, it probably would extend some SESSIONAL of the tourists' stay in the Yukon; some of them may PAPER 19 not be able to get back home but I think a lot of them would be able to get a lot more money and stay twice as long as they do.

Mr. Chairman: Is there any other discussion on this now? All clear?

CLEAR

Mr. Chairman: The next is Sessional Paper #21-- •h, prior to my getting into this Sessional Paper I was reminded during recess by Mr. Commissioner that he had some answers for us and I overlooked this when we opened the session. Would the Committee agree at this time

AGREED

Mr. Commissioner: Mr. Chairman, the one reply in par- Contract ticular is the reply to Councillor Watt's question Re Museum this morning. I see he is not here. I hope it is all right if I give the answer. Councillor Watt asked if we had any engineering participation in the construction of the museum here, the Centennial Complex at Whitehorse. The answer to this is that we have no direct participation at the engineering level on this building. participation at the engineering level on this building. Our Territorial engineer, Mr. Baker, as a private individual was called in by the Yukon Historical Society to look over the plans, and presumably offered some advice but we have no official connection with this. On the calling of the tenders we acted as the agent for the Yukon Historical Society. The tenders when they were delivered to us were turned over unequent to the the Yukon Historical Society. The tenders when they were delivered to us were turned over unepened to the Yukon Historical Society. In answer to Councillor Boyd's question on the floor space that is available or would PROPOSED have been available in the Camp Takhini Building 200, MOVE I would table this for Council's information of the actual space in use by the government on the 18th of May this year was 20,814 square feet; total space needed including future requirements is 31, 415; and the space available in the Building #200, which is the headquarters building in the Camp Takhini area is 19,272; and the Building #204, the men's residence, ",383 feet of space available.

Mr. Chairman: Sometimes, just for the edification of the Committee, sometimes in documents of this nature it is easier to table this as a memorandum and then circulate it.

Mr. Commissioner: I can assure you, Mr. Chairman, we can have copies made for the morning.

Mr. MacKinnon: Mr. Chairman, a supplementary question CONTRACT to Mr. Watt's questions, I would like to ask the Commis-RE sioner if the low bid had been accepted and had there MUSEUM been any change after the acceptance of this particular bid on this new museum being built?

Mr. Chairman: I wonder, gentlemen, unless Mr. Commissioner has this information on hand, this could be submitted on the orders of the day.

Contract Re Museum Mr. Commissioner: I can answer that, Mr. Chairman, we have no knowledge of this, Mr. Chairman, as the Yukon Historical Society have dealt with this thing, and I am afraid I do not have the answer to that. The answer to that cuestion will have to come from the Historical Society themselves. We simply acted as an agent in calling for tenders and we delivered them intact to them.

Mr. Chairman: Any further discussion?

Mr. Commissioner: I wonder if I may be excused.

AGREED - (Mr. Commissioner takes leave of Council).

SESSIONAL Mr. Chairman: We now proceed to Sessional Paper #21 PAPER 21 addressed to Mr. Speaker, Members of Council-Lot 19. (Reads Sessional Paper #21).

Mr. Shaw: Mr. Chairman, I have just digested this particular document. Where do we go from here? This Lot 19 has been perennial—almost an annual series of discussions and the Council by and large have given their blessings to having it incorporated into the City of Whitehorse for to have it developed but we seem to be just as far away now as when the proposition first came up about seven years ago. And, I really haven't the answer, except that I would like to see it utilized. We have this escarpment deal that seems to cut out a great deal of the city and it seems that engineers are not able to cope with the situation. They have not got the financial base. So we are very much where we were situated when we first statted on this.

Mr. Mackinnon: Mr. Chairman, this is a kind of a ridiculous situation. Council did attend the Commissioner's office shortly after this Block 19 was first approyed and they were quite concerned at that time with slides and it being a disaster area in respect of earthquakes and it seems— well, it could happen but it is not very likely. When the earthquakes did str.ke in the vicinity of Anchorage it was not around the sand banks. It was in the main part of the city. I think this is a very poor excuse. They estimate the cost of these lots at four thousand, five hundred dollars. I am quite aware that at the time of purchase of this particular property that there were approximately eighty eight lots in Lot 19. This figures out something in the vicinity of Thirteen hundred dollars per lot. Now, with the water and sewer Lot 19 is going to the extent of three hundred and ninety six thousand dollars. Now, do you mean to say that we have two hundred and ninety six thousand dollars to put services in that lot? If they do I think they should have another quotation befoe they send the bid. It seems ridiculous. Now, what are we faced with is my primary concern. Are we going to commence shaking down the White Pass for more land to construct a secondary school? Are we going to pay another one hundred and five or two hundred and twenty thousand dollars for ground to build a secondary school? And this has been condemned. Condemned by whom? The Engineering Department, I am led to believe here, and it is just about the time for representatives of the people to have a series of discussions

(Mr. Mackinnon continues) with the engineers and find out why this land cannot be available for this school. The question is where are we going to move the school to? Are we going to buy land in the other-- the 17 Works Area? This is what bothers me. We are faced with spending a lot of the taxpayer's money to buy land for this school.

SESSIONAL PAPER 21

Mr. Taylor: Mr. Southam would you please take the Chair. (Mr. Southam takes the Chair)

Mr. Taylor: I rather thought we had solved the problem last spring, as all member of Council thought, I am sure. When this matter came up before Council they said "look we can utilize this land to put up the school and the balanced of the land will be set aside for residential purposes." As I say, I thought "well here is the solution." It is costing us more than it originally would have cost at one time and if we will lose it this time twice as much as we see it here and again in the future. The subject of earthquakes was raised and I can agree that this is possible but I cannot agree that it is probable. We went and looked at it and noted that no matter whether it should slide or fall it was decided that the school building still could be placed on the lot. In any event why, if the lot— Lot 19 is not suitable for the school construction, partially on the grounds of slide conditions, why is it deemed suitable for house construction and lots sold at two to three thousdand dollars a lot? I cannot reconcile this at all. I cannot go along with it. I would very much like to hear from the Engineering Department on this situation and find out just what exactly it is. I don't know whether this comes under Municipal Affairs or Engineering. I would assume that it is Engineering. I could be wrong. I am not happy with this the way it is. We were sold this on the basis that this school would be built on this property. This was the selling point and this is why the Territorial government bought the property.

Mr. Shaw: It does appear that the Federal Government is going to pay for the lots to help them out and they would be paying for the services. I don't know what the restrictions would be and how many lots somebody could buy. It is going to require a large grant of about one hundred and fifteen thousand dollars for any people to be able to buy the Lot. I wonder what other members of Whitehorse think.

Mr. Boyd: Mr. chairman, in the first place I was as much upset as everybody else that there was not going to be a school there but I didn't think it advisable to argue the point too strongly with the engineers. With the news recently from Wales indicates that there was a piece of ground sitting there for more than a hundred years and then it let go. So one does not know really what could happen with earthquakes and slides and upheavals. Now there is the urge to build this school in Riverdale and I am not too happy with that. We have the land there but I am not happy with that because I think it should be more central. Then you may get the clucation brains and they will give you

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(Mr. Boyd continues)
quite a talk as to why it should be possibly in Riverdale. Then there was a proposal something alon; the
line that there would be a swimming pool instead of a
gymnasium in this new school. We immediately went
after—I should say I went after this city mayor and
so on and talked to him with a view of having them
build the school where the present swimming pool is,
which is operated only sixty or seventy days of the
year, so if the school was built there it could become
part of the school. What has happened since I have
not heard anymore and I doubt that we will be getting
too much attention on it. As for the price of the lots
the ground is sitting empty and it is better in my way
of thinking that it is better to subsidize a buyer in
some form or another. If we paid too much for the
land it is our own fault. We have been sitting some
ten years dickering and bickering without the courage
to buy something or do something and now we find it—
we find that we have bought it at an inflationary
level and we are the Joe boys. So it is better to
subsidize and get the place covered with buildings
that are tax paying, than go on and on and on.

Mr. Taylor: Mr. Chairman, I think we must accept the fact that before we go buying stuff, we were told yesterday that we were sold a bill of goods on one program, the correctional program. I am partially in agreement with that but not entirely. We must now remember that if we authorize the administration to go out and buy something that these grounds are factual and this is it. We made the trip down there to buy this lot— to look at Lot 19 to develop the school but now we find there is not enough room to build the school and there is an earthquake and slide combination possibility. Why is this possibility not determined prior to the buying of the land. This is what gets me. And I think that the Administration should be made aware of the fact that they will have to be a little more careful because it is the taxpayers dollars that we are expending. It seems that when we get into situations such as these we cannot get out of them. That is what we have to be careful about.

Mr. Boyd: Mr. Chairman, this talk about there not being enough room for the school is just poppy talk. There is some one hundred lots, if they want all of them that is something else but it seems to me these kind of suggestions are just an excuse along with the slide area. Some people are good at digging up what might happen on paper. I don't accept that at all.

Mr. MacKinnon: Mr. Chairman, I would like to mention the swimming pool that Mr. Boyd referred to, and I direct this cuestion to Mr. Boyd, does this belong to some organization or do we have to purchase it from the city and is the ground available in the quantity required at that site?

Mr. Boyd: Mr. Chairman, the swimming belongs to the Lions' Club. It was bought by the Lions' Club at a

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(Mr. Boyd continues) very considerable sum of money. It is a full-fledged PAPER 21 swimming pool, heated, purified and so on . It is on city property to start with and then there is the ball park and some other grounds, the Drama Club, or some such organization. The ground belongs to the city and it is a good location. It is used for a ball park now.

I would suggest that they could play ball on Lot 19 if I would suggest that they could play ball on Lot 19 if they wanted to. There is lots of space there and they won't be playing there when a slide comes. Why not use this other base-ball diamond for some other good advantage? They don't have to have a choice piece of ground to play ball.

Mr. Shaw: Mr. Chairman, I have heard time and time again that there is no space for to build houses at Whitehorse. The ground belongs to somebody or is un-Whitehorse. The ground belongs to somebody or is unavailable for some reason or another. Through the years every effort has been made to acquire more ground without success. I might say I have got to the point that I am tired of listening to this, and the reason I am tired of listening to this is the fact that there has been no change. The howl has been the same and the action has been the same—there is no more ground. There is no more ground in the City of Whitehorse now than there was when we first started, except you can perhaps say the extension of Riverdale. Now, it appears to me that with ground being so tightened up so that you cannot get it that possibly we should take another look at the the situation and start developing other look at the the situation and start developing other areas such as Porter Creek or Crestview or some other area such as that. That would solve the problem and if a new municipality started out there it would not necessarily with Whitehorse. It could be a municipality of Porter Creek or Crestview or what have you or whatever you might call it. I don't know the exact topography of the land but surely there seems to be a lot of it and the area could be made serviceable and put in sewer and water and put in the state of land there. If there put in sewer and water and put in these other amenities is not anough here-- certainly it is not possible to flatten out that bank over there and certainly you cannot fill up the Yukon River or flatten out the other bank. We are confined by the valleys; there is only so much room, so it is time we evolved a plan where we go out outside of this area for our residential houses. And, I suggest Porter Creek and Crestview because they seem to be well established. I don't know whether Councilled There are the lines in the torse thinks it is a second to the councilled the councilled the councilled that are a thinks it is a second to the councilled the council cillor Thomson, who lives in that area, thinks it is a good idea or not.

Mr. Boyd: Mr. Chairman, I think Mr. Shaw has a good picture in mind, definitely a good point. The thing to do is to sell it.

Mr. Shaw: Sell what?

Mr. Boyd: Your idea of opening up some more ground. Now I think we were told-- there was some remark from the Commissioner either today or yesterday that somewhere along the line this is one of the reasons that they wanted everything down here so they would not get spread apart, and this is one of the reasons they did

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(Mr. Boyd continues) not rent the Army footage. They turned it down. Now in Riverdale there is a school and room for a lot more homes. It seems nobody wants to go to Riverdale; not by a long shot they don't. And, the metropolitan plans call for a bridge down here below the hospital and there is another big area in Riverdale here. The plans are to open this up but they are not going to open them up yet and so on. So this is where this metropolitan planning comes in, and I suggest that we get Mr. Smith, along with a few questions because he is the instigator of the metropolitan plan and knows all about it. So this is where you will get your answers.

Mr. Shaw: I am not asking for answers. I am providing them.

Mr. Taylor: Mr. Chairman, I am wondering if the idea suggested by the member from Whitehorse of making studies locally and explore the possibility of putting the ball diamond there and swapping the land whereby the school could be constructed perhaps with an agreement with the city, covering the swimming pool. I think the project could raise money to cover that swimming pool. It may be some negotiations can be undertaken with the city in order to create recreation facilities, open air facilities to Lot 19 and develop the land being used by that ball park. I don't know if anything has been done in that line to the knowledge of the honorable member from Whitehorse East or whether this is something which should be looked into.

Mr. Boyd: Mr. Chairman, the city would welcome that; nothing would suit them better. The thing is to sell the idea upstairs and to the department, the Department of Education. It all hinges there.

Mr. Taylor: Mr. Chairman, if the member does decide he can come up with some sort of an idea I would be glad to give him all my assistance to see the program is un-

Mr. MacKinnon: Mr. Chairman, I would like to ask Mr. Boyd a question in regards to this swimming pool. Is the Lions' Club committed themselves on this? Are they prepared to sell it or is this some long term agreement that the Lions' Club hold with the city?

Mr. Boyd: Mr. Chairman, we donated it without any ifs buts or tabs attached. It is donated.

Mr. Chairman, I feel that there is, as Mr. Thomson: usual, a lot of discussion on the subject that is not really called for. I think before you do get yourself all worked up as to what is to be done and what is not to be done we should have the Commissioner here. It is unfortunate he is not here for the first time in a week. But I am sure that there are developments concerning this Lot 19 proposal that can be brought before him. think that probably the biggest problem before us right now is lack of knowledge and I would suggest that we table it until such time as we can have the Commissioner

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(Mr. Thomson continues)

and or the Superintendent of schools for the Territory PAPER 21 and clarify this once and for all. So if we get these men and also the engineer for the Territory we will then know what is what.

AGREED

Mr. Taylor: Mr. Southam.

Mr. Southam: Mr. Chairman, I am quite agreeable to accept what Mr. Boyd suggested or rather what Mr. Thompson has said. It was pretty near what I was going to say myself. I am also of the same mind as Councillor Boyd. I don't see any reason why the school cannot be built there. It does not have to go against the bank; there is plenty of room there. And, I would, as Mr. Thomson has suggested, ask that it be tabled until such a time as we can get the necessary information. And, I was also wondering if we could get this report, if it is a report, from the Dean of the University of Alberta, who is supposed to be a foremost authority, we could get his report and along with the rest of it and sit down and talk about it then.

Mr. Thomson: Mr. Chairman, I think that is is probably cuite in order. I don't think Mr. Boyd did this intentionally but just to clarify it nobody ever said that the school could not be built there. It is just that it is not proposed; it is not a good idea. There is plenty of room for a school; there is plenty of room for a playground but there is no room for any other development. So it is a case of changing the plans or altering your program. This is what it boils down to. But if you have the Territorial engineer and the Superintendent of schools and the Commissioner they will be able to give you all the answers that you require to your satisfaction.

Mr. MacKinnon: Mr. Chairman, I think Mr. Thompson has misread the Sessional Paper here. It states quite clearly here that there insufficient property on Lot 19 to construct the school. I believe if Mr. Thompson analyzed this paper he would find that.

Mr. Taylor: Gentlemen, would you agree with Councillor Thompson's proposal that the matter be set aside until such a time as we can take it up with the Territorial Engineer, the Superintendent of schools and the Commissioner.

AGREED

Mr. Taylor: Possibly, Mr. Thompson, you may wish to SESSIONAL consider this on the agenda this evening. Now we go PAPER 20 to Sessional Paper #20 addressed to Mr. Speaker, Members of Council- Escarpment Stabilization. (Reads Paper #20).

Mr. Shaw: Mr. Chairman, as to comment on the Sessional Paper #20, it is one of the amazing things when you go into the Klondike area we see these tailing piles—these are tailing piles of nothing but gravel. It is actually decomposed rock, and yet some how or another these willows grow profusely on these piles. You would

SESSIONAL (Mr. Shaw continues)

wonder how these willows could possibly exist on this rock and grow when there does not seem to be any sustenance for them to grow at all. This tree may be the type that is adaptable to growing on very poor soil. As a suggestion it may be a good idea to collect the seeds of these trees and sow them along this escarpment. It certainly would be worth the experiment because they certainly seem to be very hardy. Whether this is the same type of willow that you get down here I don't know but it is a good idea to try. It seems that everything else is either sloughed out or pulled out or used for Christmas trees and nothing seems to grow but these do seem to survive in such an unfavorable atmosphere. It would not cost much to experiment.

Mr. Boyd: Mr. Chairman, we still have to deal with the drainage problem. There has never been anything really accomplished and very little has been spent on it—very very little. But still they go ahead and plant three thousand special hardwood trees and thirty thousand of willows and poplar cuttings. I think this is a cypographical error because where did the money come from? Where did the time come from? To plant thirty thousand of these so-called trees there is two or three thousand feet of height—well, the rain comes along anyway and whatever there was is nothing. But I don't accept that thirty thousand figure. It is beyond my thinking on any spot like this.

Mr. Southam: Mr. Chairman, I kind of agree with Councillor Shaw. I don't know about collecting these seeds but there is one thing I do know about the willow, and I have quite a bit of experience with it around the farm and so on. The willow seems to grow any place and all you need to do to plant a willow is to cut it, lay it in a trench and throw some mud over it and out she pops in one, two, three, four, five, six places at the same time. As to the thirty thousand figure I agree with you, Mr. Boyd.

Mr. Taylor: Mr. Chairman, I might say that the problem is not what you are planting, no matter how prolific it may be, but I think the matter is in sloughing. I think Councillor Boyd has hit the nail on the head, and as the paper says, until the matter of proper drainage at the airport has been attended to you will not grow anything, willow or otherwise, The nature of that soil on the clay banks is not necessarily considered conducive to the growth of some of these materials. But I was going to suggest that possibly this matter can be taken up with the Territorial engineer when you discuss the escarpment.

Mr. MacKinnon: Mr. Chairman, I was just going to mention that it seems we still have the need of our experimental farm at 10-19, and I believe we have a qualified man who is managing the experimental farm that could suggest suitable trees for this escarpment stabilization. And, I believe it would still be possible to contact some of our previous managers and have them come forth with the type tree that would qualify for this particular silt. I believe this is a silt. They call it clay but I am very doubtful that it is clay.

Mr. Taylor: Gentlemen, would you agree to leave this matter in abeyance until we discuss Lot 19 and the PAPER 20 escarpment problem.

Mr. Boyd: Mr. Chairman, I would like to have this go a little further. I would like some verification of what are we buying. Are these facts or can it be confirmed. I had the pleasure of watching these workers in 1964 and I witnessed about three men planting thirty thousand trees in ten days. That is about all it took. Pooh! No good!

Mr. Chairman: Gentlemen, do you wish to proceed with Sessional Paper #22?

AGREED

Mr. Chairman: This is Sessional Paper #22 addressed \cdot SESSIONAL to Mr. Speaker, Members of Council- Director of Fitness PAPER 22 and Amateur Sport. (Reads Sessional Paper #22)

Mr. Chairman: Take the Chair, Mr. Southam.

Mr. Taylor: Mr. Chairman, in my Opinion 'No! Thank you Mr. Southam.

Mr. Thomson: Mr. Chairman, I cannot fully concur with the long discussion that Mr. Taylor has given us. But I think probably the reason that this was or will probably receive a cool reception is primarily because of the first couple of lines. It says "we have been involved in a program of Correction work and are at present establishing a department to handle this important subject" important aspect of the territorial function, and because it is in such dire shape at the moment, I feel the program is likely to suffer, but I don't think it is necessary to set up another department just for this. I think that it could be handled, and as far as I understand, it has been handled ouite capably by the Administrative assistant to the Commissioner. They feel the work load is such that is too much for this particular office to hanle. I don't know, but I feel there would be many qualified people in the Administration to take this on without any undue hardship.

Mr. Taylor: Mr. Chairman, I can only say that I would like to see a breakdown as soon as it can be had on the amount of projects undertaken approved and the amount of projects cancelled this past year. As far as I am concerned what I know of the Fitness and Amateur Sport it states that—well, it started out as some sort of a gimmick and it seems that in certain fields we have been able to do something, make some use of the money alllotted to us for this purpose from Ottawa But I am not convinced that it is growing to the size where you must practice Parkinson's Law and throw another couple into the Administration. I would have to be very convinced for the need of these people and very strongly impressed before I can ever ever ever agree to the hiring of additional personnel. I think to date the Administrative assistant's office can handle this quite capably, and just because the Northwest Territories want to go into these various things. I see we have got square dance readers' courses and baton twirling and some of these other things. I think we have the Administration that can handle it at the present time.

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Mr. Boyd: Mr. Chairman, I agree with Mr. Taylor that if we cannot handle with this Administration or within this Administration then we don't handle it. Because this man Van Pelt, his salary is already eleven thousand dollars plus some other benefits, including northern allowance, plus a hundred and nine dollars or thir-teen hundred dollars a year for housing allowance be-cause now he has his own house. This is northern allow-ance on top of this. So half of the money would be gone before we start. One of these chaps and his stenographer of course, and you can count on another one because he will have to have an assistant while he is on the road, and we have reached the limit on this doing of this kind of thing. We should have the money if we can afford it but not to the extent of one or more in staff.

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

Mr. Southam: I move that now Mr. Speaker resume the Chair and hear the report of the Chairman of the Committee.

MOTION

Mr. Chairman: It has now been moved by Mr. Southam and seconded by Mr. MacKinnon that the chair be resumed by Mr. Speaker to hear the report of the Chairman of the Committees.

MOTION CARRIED

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

Chairman of Committees: Mr. Speaker, the Committee convened at 10:30 this morning to discuss bills, memorandums and sessional papers. The Committee first discussed a matter related to the membership of Council. Mr. Commissioner attended in committee. It was moved by Councillor Taylor and seconded by Councillor Thomas by Councillor Taylor and seconded by Councillor Thompson that in the opinion of Council the member from Whitehorse East, not having contravened Section 9, Subsection (c) of the elections ordinance, should right-fully retain his seat in the Yukon legislative Council. Motion Carried. Committee recessed at 12 noon and reconvened at 2:00 p.m. this afternoon. Mr. Commissioner also attended committee. It was moved by Councillor Southam and seconded by Councillor MacKinnon that Mr. Speaker do resume the chair. Motion Carried.

Mr. Speaker: Gentlemen, you have heard the report of the Chairman of Committees. Are you agreed to accepting the report?

AGREED

Mr. Speaker: Are there any corrections? Report is accepted. I have a letter, gentlemen, in which an invitation is extended by the Whitehorse Chamber of Comwitation is extended by the Whitehorse Chamber of Commerce for a luncheon date on Tuesday, November the 22nd
1966, that is a week or so from now at 12 noon. There
is a notation also that if the date is not advisable
or convenient, a date would be set which is suitable
to members of Council. If you wish to attend this meeting would you please notify the clerk so that he could
so inform the Chamber of Commerce.

Mr. Thomson: Mr. Speaker could I ask a question?

Mr. Speaker: By all means.

Mr. Thompson: Is this a special meeting or our behalf? They just held one here a week ago, and I am just wondering if there is any--

Mr. Speaker: I will read the letter to you. (Mr. Speaker reads letter).

Mr. MacKinnon: Mr. Speaker, I would like to apologize to Council. I was trying to get the attention of Mr. Chairman. I should have been trying to get the attention of Mr. Speaker. When the minutes of today's proceedings were read I would like to have my vote regarded as not being in favour of the motion passed and introduced by Mr. Taylor.

Mr. Taylor: Mr. Speaker, I would respectfully submit we have gone through this many times, and if any member of the committee desires to have his vote regarded as not in favour it can be done but it is not the duty of the Chairman of Committees, it is the terms of our own rules in Beauchene's to do this at this time. Whether I am permitted to alter my report which has been accepted is something that we would have to consult Beauchene.

Mr. Speaker: In this particular instance, gentlemen, and particularly, Councillor MacKinnon, the objection was not raised or the request was not raised at the time that the vote was taken or after the vote was taken. I asked if there were any corrections and there was no objection made either at that time, so I am afraid it is a little too late to have it recorded. However, the discussion will be recorded on the Votes and Proceedings and the circumstances.

Mr. MacKinnon: Well, Mr. Speaker, I did explain the error that I made. I was trying to get the attention of the Chairman instead of Mr. Speaker and I think it still should have some consideration at this time.

Mr. Speaker: What is your pleasure at this time?

Mr. Thompson: Mr. Speaker, for the agenda for next week I would like to put a matter on with reference to Sessional Paper #21, and I request the clerk to ask the Commissioner to ask the Territorial Engineer and the head of the Territorial Educational Department to be with us and I have tentatively set this for Tuesday morning if this meets with your approval.

Mr. Speaker: On the agenda tomorrow you have heard the request for the presence here of the Superintendent of Education and the Engineer from the Engineering Department, is that correct?

Mr. Thompson: Yes, Mr. Speaker, with one exception; not tomorrow-- Tuesday.

AGENDA FOR TUESDAY

LOT GOS

Mr. Speaker: Oh, Tuesday. Is that agreeable?

AGREED

MR. Speaker: Would you take note of that Mr. Clerk. Is there any proposals for the agenda for Monday?

Mr. Speaker: Are there any proposals for the agenda for Monday?

Mr. Taylor: Mr. Speaker, I would suggest we have bills, memorandums and sessional papers. I believe we have one motion so we will have to include that, and motions.

Mr. Speaker: What is your pleasure at this time?

Mr. Thompson: Mr. Speaker, I suggest we call it five o'clock.

Mr. MacKinnon: Mr. Speaker, before this goes any further I would like to suggest that Council adjourn till Monday morning at 10:00 o'clock.

Mr. Speaker: Gentlemen, suggestions are very fine but I think I will need a motion in order to conduct the business. Would someone make a motion.

MOTION

Mr. MacKinnon: Mr. Speaker, I will make the motion that Council adjourn until Monday morning at 10:00 o'clock.

Mr. Southam: Mr. Speaker, I second that motion

Mr. Speaker: It has been moved and seconded that Council adjourn till Monday morning at 10:00 o'clock. Agreed? Any contrary? Motion is carried and this Council now stands adjourned until Monday morning at 10:00 o'clock.

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MOTION CARRIED

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

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

Mr. Clerk: There is Mr. Speaker.

Mr. Speaker: Have we any correspondence this morning?

Mr. Clerk: Nothing this morning Mr. Speaker.

Mr. Speaker: Any reports of committees? Any Bills to introduce?

Mr. Clerk: No, there are not.

Mr. Speaker: Any notices of motion and resolution? Have we any notices of motion for the production of papers? We have one motion this morning, Motion #1. Mr. Watt?

Mr. Watt: Thank you Mr. Speaker. Motion #1, moved by myself and seconded by Councillor MacKinnon. Re: L.P.R.T. -White-horse. "That the C.B.C. be requested to install an L.P.R.T. MOTION #1 in the Whitehorse area as soon as possible." May I proceed Mr. Speaker?

Mr. Speaker: Proceed Mr. Watt.

Mr. Watt: This is a motion similar to a motion that I made before Council about six years ago and subsequently it had been made before Council by Mr. Livesey, with appropriate comments about helping us out. Subsequent to that Mr. Taylor put the motion in several times and at the last Session we put in a request for an estimated cost for a system such as this and we have been given the answer and it seems pretty reasonable and I hope it seems reasonable to the other Councillors. Now, there could be some objections to this motion in that it doesn't provide for a manned system but I think that C.B.C. has already indicated that they are not ready to install a 24-hour manned radio service in Whitehorse at this time. So it isn't possibly as good as the service we could have but it is as good a service as we can get right now and it is better than none. So I would ask the support of Council for this Low Power Radio Transmitter system. If Council approves and I hope they do unanimously even though there are some objections to it, I would like to ask if we could have the Administration request an answer as soon as possible before the end of the Session and if the answer is in the negative T think there are a group of individuals in town here that are interested in providing this service themselves on a commercial basis for the dead hours. There is some thought being given to this. 12 - 14 st 14

Mr. Speaker: Mr. MacKinnon?

Mr. MacKinnon: Mr. Speaker, as seconder of the motion I believe it is a very simple way of handling the matter. It works very well in the outer districts and there is no reason why it shouldn't work for Whitehorse. As Mr. Watt has stated you are getting away from hiring extra staff which is of importance today and hard to get. I think that the motion is self-explanatory and there is no need to proceed any further with it.

MOTION #1

Mr. Taylor: Mr. Speaker, as I outlined when I raised this question earlier in the Session, it had been my intention to after a little research to propose a motion which would ask the Prime Minister or the Secretary of State, I am not sure just who this should go to, if he would upgrade and increase the hours of operation of the Whitehorse station both primarily to serve the people of the City of Whitehorse and secondarily to serve the people in my area who depend on this service and especially in Ross River for example. I did make an effort this marning as I had not brought my Votes and Proceedings with me to get the Votes and Proceedings on the section with Mr. Moore of Northern Service, the technician or expert of Northern Service, on the eighth of December of last year and he seems to take us around the bush on this L.P.R.T. business where he says "the only reason you can have 24-hour radio service at all is if you are part of the Emergency Broadcasting Plan" and here he is referring to L.P.R.T. and also where he states it is going to cost \$22,000 to put these units in the Territory. I notice that the price is now less than a third of that statement. So I don't know what to make or what not to make of it. I would rather not see an L.P.R.T. in the City of Whitehorse. I am pretty sure that C.B.C. will take the same view and it is unfortunate that we couldn't stay on this same track of trying to get this existing station manned twenty-four hours a day. C.B.C. are going to look at this and say this Council are sure being t good to us, they don't know what they want, and this could kill about three years of effort. Those are my comments on I must go along with the motion on the grounds that if it ever is achieved and an L.P.R.T. is put in here then the people of Whitehorse will have a little and possibly the outlying districts and Ross River would have some consideration. However, I guess this is not possible.

Mr. Watt: Question.

Mr. Speaker: Any further discussion?

Mr. Southam: Question on the motion.

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

MOTION CARRIED

MOTION CARRIED

Mr. Speaker: That completes the motions for this morning. The next item would be questions, have you any questions either oral or written for this morning? Mr. Southam?

QUESTION #1

Mr. Southam: I have a written question, I will read it out. "When can the residents of Mayo expect to get paid the \$1900 back-rent for the Community Hall rented by the Department of Justice?"

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

Mr. Thompson: Mr. Speaker, I have two questions this morning and they are verbal. One is directed to the Commissioner and this has reference to a note from the Justice Department concerning the case of the Queen vs Richard Peters, at which time Peters was charged under the Liquor Ordinance and the Magistrate acquitted him in view that the Liquor Ordinance did not apply to an Indian. This, consequently brought up the point of the various fines. It goes on to say here

Mr. Thompson continues..... that "the effect of the decision was that the court agreed with the Magistrate's view and consequently it appears that 1.195 while the Territorial Council has power to grant drinking power to Indians under the Liquor Ordinance there is no power to police the drinking of the Indians under the Ordinance." Another effect of the decision is that the fines paid in respect to charges under the Indian Act will go to the Federal Consolidated Revenue Fund whereas the fines paid under the Liquor Ordinance will go to the Territorial Consolidated LIQUOR Revenue Fund and I was wondering if the Commissioner has any comment on this or have Northern Affairs voiced any opinion on this?

Mr. Commissioner: Mr. Speaker may I have the opportunity of securing a comment or answer for you on this. I will endeawour to have it for you tomorrow morning.

Mr. Speaker: Is that satisfactory Mr. Thompson? Did you have another question?

Mr. Thompson: Yes I had one further question although I do not have the particular motion that it concerns. At the last Session of Council, the Council passed a motion concerning an amendment to the Catholic School Agreement and there has SCHOOL been correspondence between myself and the Administration AGREEMENT regarding this and they inferred that there would be some legislation brought before this table at this Session and whereas I haven't seen anything as yet I was wondering if they could make this known, whether they plan to have this planned amendment ready at this time.

Mr. Commissioner: Mr. Speaker, I have just signed a sessional paper this morning and was getting multiple copies referring to this. I believe it was motion #51 and this will be given out promptly.

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

Mr. Thompson: Thank you very kindly.

Mr. Speaker: Are there any further questions?

Mr. Taylor: I have one question I would like to direct to the Commissioner this morning and it has reference to Expo '67. I am wondering as to whether construction has been started at all on our Expo '67 project and as to when it's completion EXPO . date will be?

Mr. Commissioner: Mr. Speaker, I will see that this information is made available.

Mr. Speaker: Thank you, any further questions?

Mr. Boyd: I would like to direct an oral question to the Commissioner. Council has in the past three years had considerable discussion on insurance on property and so on and make we had certain understandings as to what our insurance is. In view of the way things sometimes get turned around and we find that our understandings have not been or are not what we think they are. I would like to ask Mr. Commissioner if the fire in the school, or the fire in the school recently, is absolutely and fully recoverable on a replacement basis?

SCHOOL FIRE

BILL #1

Mr. Commissioner: Mr. Speaker, this has been the subject of considerable discussion at the administrative level and I will be happy to see that the proper and full answer is made available for Council as to what the status is. The state of the s

Mr. Speaker: Thank you, does that satisfy you?

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Aver Mr. Boyd; - Yes. See the second of the

Mr. Speaker: Have we any further questions?

Mr. Taylor: I did have a question I would like to direct to Mr. Speaker. Would I be in order to suggest that possibly written replies be given to some of these questions. Is there written reprice any rule of thumb? ngagan dagagan bilan bilan paggan dagagan Banggan dagagan daga sa mengangan dagagan dagagan dagagan dagagan bilan bilan bilan bilan bilan bilan bilan bi

Mr. Speaker: In answer to that, I don't know whether we could call it rule of thumb but I would presume that if the question is directed to the Commissioner or any other member of the administration if they can answer it at the time I think that would be quite satisfactory but if they are not able to give an answer I would say that in all reasonableness that they have an opportunity of supplying a written answer or an oral answer at a later date when we have the opportunity. When we have had this question and answer period, I have asked your indulgence before to have your questions simple and that don't require a lot of data. If they require a lot of date I feel that they would be more correctly under the heading of motion for production of papers. Have we any further questions? We will then proceed to the next item which are public bills and orders. That finishes the daily routine and orders of the day. I would like to state that we do have an agenda here, laid out on Thursday, which is Bills, memorandas, and sessional papers. Nothing itemized.

Mr. Taylor: I would move that Mr. Speaker do now leave the chair and Council resolve into Committee of a Whole for the discussion of Bills, memoranda and sessional papers.

Mr. MacKinnon: I second the motion.

Mr. Speaker: It has been moved by Councillor Taylor and seconded by Councillor MacKinnon that the Speaker do now leave the chair and Council resolve itself into a Committee of a whole for the discussion of Bills, memoranda, and sessional papers. Are you ready for the question? Are you agreed with the motion? Any contrary? The motion is carried and Mr. Taylor will take the chair in the committee of a whole.

Mr. Taylor: I will call a short recess until we get organized. n Theory of The public Street with a power with

RECESS

Mr. Chairman: Gentlemen, I will call this committee to order and would you agree to discuss Bills at this time? We will proceed then to Bill #1, an Ordinance to Amend the Companies

Ordinance.

Mr. Shaw: Mr. Chairman, I just wondered if I could be directed where I could find this under the Companies Ordinance? Is this a later Ordinance than the 1959-58 Consolidation?

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Mr. Legal Advisor: May I approach the table? Mr. Shaw: I guess I was in the right church but in the wrong pew.

Mr. Legal Advisor: Page 121 in the Ordinance.

Mr. Shaw: Thank you Mr. Legal Advisor.

BILL #1

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Mr. Boyd: I would move that Bill #1, an Ordinance to Amend the Companies Ordinance be passed out of committee without amendment.

Mr. Southam: I second the motion.

Mr. Taylor: Mr. Southam will you please take the chair. I just have a question I would like to direct to the Legal Advisor and obviously at some time or another this Ordinance was approved by Council and no doubt these two words "the company" had been included, there being no period at the end of this particular section. It would also appear to me that this is a typographical error and this subsection (3) of the Companies Ordinance is law at the present moment. Somewhere in the records of the administration must be the piece of legislation referred to here and it seems to me this Bill has no meaning as already in terms of law the words "the company" are included. I would like the Legal Advisor's opinion.

Mr. Legal Advisor: The words are not included and it is believed that in adding the words "the company" this will be garrying out the original intention of the legislation, that it was intended that the person signing the note be personally liable unless the company paid it. There are inescapably, in a volume as large as this or Ordinances, typographical errors that do manage to get themselves in the printing. I do not have the original form of Ordinances that were passed in 1958 but there is the consolidation of Ordinances so in order to eliminate any possibility that the original work was defective, the Councillor's point is I understand that it was passed in it's proper form when before the Council in 1958. He may very well be right and I don't think the error was original.

Mr. Taylor: I suppose I have to agree although I didn't realize that over the years the Administration would lose the originals form of any of this legislation. If it is lost there isn't much to debate upon. If it is lost then it still shows that we are enacting double legislation.

Mr. Legal Advisor: Sir, I didn't mean to suggest that the Administration do lose or has lost the original, I was merely saying that I didn't have it that just coming across this apparent error on working on the Ordinance. You quite often pick up these little errors while working on these things. You look at the Insurance Ordinance, there are a lot of little errors which have gone unmarked because it is not a busy Ordinance. Again, to put the matter beyond doubt it is thought that this should be brought before you today.

Mr. Watt: I would just like to ask Mr. Legal Advisor what brought this to the attention of the administration. Is there a particular case in which you would like to give us a rough outline. You don't have to give us the names but the circumstances which have created this or brought this to your attention and then to ours. It can't have been sitting there for 15 years and all of a sudden been brought to the attention of the administration.

Mr. Legal Advisor: Mr. Chairman, no there is no particular case but as one goes over the Ordinances in working with

Mr. Legal Advisor continues..... them one sometimes stubbs his toes on the blemishes, for instance the one you have here before you. There is another Bill before you on an Ordinance for amendment and you will see that it is nonsense in it's present form. At least I think this is the view that I have -- it is nonsense but it has gone on unprotested for years. People fall into the habit of reading what they believe is there and it comes as something of a shock when you sit down and inject a word. This is exactly what has happened here, there is no special case at all, no prosecutions, or investigations.

Mr. Shaw: I would like to direct a question to the Clerk of the Council being as the Clerk is the custodian of Council records and so forth. When a Bill is passed at the end of each Session I would like to enquire whether that Bill is recorded in the archives someplace in Canada with the Commissioner's signature on which thereof assenting to. Is there not some such document for every piece of legislation passed and assented to?

Mr. Clerk: Mr. Chairman, there is and I have all the original documents that were passed in this Council since I was Clerk but in this case it was a consolidation prepared for us by the Department of Justice and we didn't have any original ordinances.

Mr. Legal Advisor: Could I add one thing. You see, one of the difficulties is that even if the records back in the archives is correct, the public and the courts have before them the consolidation and this is what they have and unless we make the record clear and there is no error then they will be put to the trouble of making a quiry and possibly having the clerk attend in court to prove the original Ordinance. pass it in the form of legislation then we are putting the whole world on notice that the error has been taken care of.

Mr. Boyd: Question on the motion.

Mr. Chairman: Any further discussion. May I call question on the motion? Are you agreed with the motion? Any contrary? The motion is carried.

MOTION CARRIED

MOTION CARRIED

Mr. Shaw: There is still one question that I am wondering about and that is whether this was a misprint or whether it was not a misprint. It appears to me that right in the capital of the Yukon Territory someplace there should be a document with the Commissioner's signature on it going back to gosh knows when to authorize these laws. If at some time or another, you still have these things in a book, you still have the original and when was it legalized. Somewhere and somehow you still have to find where is that law, when was it legalized. It seems funny to me that there isn't a record as there should be one in the capital of the Yukon Territory authorizing all this legislation. Possibly they should get together and get all those things in one pile so we know where we are at and then we would know whether it was a typographical error or what. There just doesn't seem to me to be any proof.

Mr. Chairman: Mr. Clerk, would it be possible to obtain an original copy of this Ordinance?

Mr. Clerk: Mr. Chairman, I don't believe that there is such a thing. This book you have in front of you is the law of the land and the Ordinance in the front of the book makes it THE THE RESERVE TO STATE OF THE

Mr. Clerk continues......
the law of the land. If there is a typographical error then
this is the only way to correct it, by this form of amendment. You will find lots of them. One good illustration is the Motor Vehicles Ordinance, at the last Session we took out six $^{\rm BILL}$ #1 lines of one paragraph which were straight repetition which had gone unnoticed for, while since 1958, and there are lots of them in the book.

Mr. Taylor: For my own part I fail to see how printing errors are legislation. However, may I proceed to Bill #2?

Mr. Shaw: I still haven't gotten my question answered. Have we got some record somewhere in the original Bill. Do we have to go according to a book or by legislation. Have we some archives or something or do they take and throw them in the garbage at the end of the year?

Mr. Clerk: We have the original bills, we have all of the original bills however in this case this book was prepared by the Department of Justice in Ottawa and I doubt very much if we have the proofs that were sent to the printer which you would have to have in this case. But I will just take a look" and see just how this got through. In every other case where you pass a bill, the bill that I have on my desk in front of me and the bill you give third reading and assent to is kept in my custody until it is repealed or revised and consolidated as you have in front of you in this 1958 set of Ordinances. Even after that they are still kept.

Mr. Shaw: I think Mr. Chairman that we should set-up some sort of library in which we have complete and correct sets of bills which the Commissioner has signed and assented to. Have them on file someplace and that is it. Any agreements between nations or countries or anything that is legislature appears to me that the head of the government or whoever it should be signs it and then it is put away for posterity. Then there is no question about whether it is thrown in the garbage or what and then we have legislation like this to check things up. It doesn't seem very businesslike.

Mr. Clerk: Mr. Chairman, I must not have made myself very clear but every one of these bills that you have passed, is signed by the Commissioner and is kept in our filing system.

Mr. Taylor: Possibly the ones that we don't have could be obtained from the Department of Justice in Ottawa. Any further discussion on this gentlemen? The next is Bill #2 an Ordinance to Amend the Taxation Ordinance. I will read it along with the explanatory notes.

*** BILL #2

Mr. Thompson: Mr. Chairman, could I ask one question of these explanatory notes. "In brief summary the authorities in Alberta and British Columbia have found it advisable to retain specified values per mile"and it says, "as a matter of fact, the Assessor has been working with slightly increased figures". Is this the Assessor for Alberta or B.C. or is this the Assessor for the Yukon.

Mr. Clerk: It is the Assessor for the Yukon.

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Mr. Taylor: Mr. Southam; will you please take the chair. I have a question in the first instance which relates to section 150(a) and (b) and that is in 15 (a) we speak of a telegraph t sunv

Mr. Taylor continues..... company being assessed at the rate of \$700 per mile per pole line and when we get down to 15 (b) we again refer to telephone companies and I would like to know what the difference is here. BILL #2

Maybe the Legal Advisor can enlighten me and also why the power company doesn't have to pay on a per mile basis for a transmission line if the telegraph company is not related to an electrical company and this sort of thing. Just what is intended here?

Mr. Chairman: Mr. Legal Advisor?

Mr. Legal Advisor: Regarding the difference in telegraph and telephone I wish that question had been directed to the Legal Advisor who was here in 1958 because that is when it was passed. in that form and this is essentially the resoration of the guidelines that were previously existing and were swept out. The only change is in the figures which are \$700. I can't think of any----when I put it down it certainly was not intended to be telegraph and telephone and there isn't any indication that a distinction should be drawn. I can't see why there should be one or the other. Could you restate your second question?

Mr. Taylor: In the first instance I can see in listening to Mr. Legal Advisor's remarks, we have shut down the telegraph system which was an extensive system through the Yukon. My second question is, when telegraph lines are charged on the \$700 basis why or what is the electrical company not charged on the same basis?

Mr. Legal Advisor: All I can say sir is that I on't know the philosophy behind this, I would have to research this.

Mr. Taylor: I wonder if that could be directed to the Clerk?

Mr. Clerk: Mr. Chairman it seems to me that there has been a mistake in submitting this Bill to you and I would like the indulgence of Council so that I can go over it and have it changed to it's proper form in which it should have been submitted to you. There was never any intention on our part to have the assessment based on the revenues. This was thrown out by this Council previously and I would like to have time to prepare a new bill based on the explanatory notes as it was on the old Ordinance. We have been assessing the electrical companies on so many dollars per mile as you suggested. Page 1.

Mr. Taylor: Mr. Chairman, I can only say that I agree. I can recall having a hassle on this before and it seems that everything seems to be all right except for the local circuitries, There seems to be no provision here for Yukon Electric where they run a transmission line out of town for ten miles. I might also say a line like the one to New Imperial Mines could be considered. I have one other question and that is in the Ordinance where it states on taxation of railway companies. I know in the old Ordinance that there was a two year period somewhere. It seems to me that when we are all talking railroad and access to the coast and things of this nature it occurred to me that we are very seldom in a position to offer incentive to industry in relation to developing railroads or communication programs at their outset. I suggest in the drafting of the bill that the administration look into the possibility of handing out to railroad companies a little tax relief in the formative years of their operation while they are under construction or in their first two or three years. This may well be a factor of great consideration when someone thinks of building a railroad from the cost to the Yukon. If they aren't faced with this burden of taxation they may look at it a little differently.

Mr. Shaw: I have a few questions to ask. I would first refer to section 15, subsections (a) and (b). If you recollect, 14 years ago I was an Alderman on the Council of the City of Dawson in which at that time we with our lack of knowledge passed a by-law and impossed a tax on gross sales. I seem to recollect at that time that we had our knuckles rapped which has happened again and we had gone off on the wrong tangent. It seems to me that at that time we were informed that we did not have the power to tax on the per centage of a person's profit or gross revenue, that that was the perogative of the Federal Government. If I recollect this was stated at the time that this was a form of sales tax or corporation tax whichever you wish to call it and that definitely was the perogative of the Federal Government. In other words, if the Territory decided to get out and tax somebody we would be quilty---I would just like to direct the question to the Legal Advisor. If the Yukon Territory in the event did bring in section 15, subsection (a) and (b), would that be in violation of the Federal government's agreement.

Mr. Legal Advisor: I believe so. The draft before you was set out by the Department of Justice.

Mr. Shaw: Did the Department of Justice--when you tax a total amount received whether or not there is a profit shown rather than tax on a profit shown--there is a vast difference. Is that accepted by the Legal Department as being quite alright?

Mr. Legal Advisor: I am afraid I really don't understand them Councillor's question?

Mr. Shaw: For example you made a tax of one per cent on a gross turnover, that might work out to twenty per cent of the net profit of the corporation. There is something that is an unfair manner of taxation it seems to me.

Mr. Legal Advisor: I was just going to say that the technique and the equities of taxation techniques are something on which I couldn't comment on. If the tax has the effect of driving somebody out of business—well this wouldn't be the first time. It is a question that Council would have to ask, is the proposed method a fair one and it would obviously open questions up such as the Councillor had. All the draftsman can do is lay before you what has been asked for and if you feel that it is an unfair approach then you will obviously express your views.

Mr. Shaw: C.N.T. is a Crown corporation, would they be required to pay this tax or would they be exempt and supplementary to this what about the United States Pipeline.

Mr. Legal Advisor: We receive certain grants in lieu of and possibly the Clerk can tell us how the U.S. Pipeline handles it. I suspect that this is all part of the grant.

Mr. Shaw: Are there any telegraph companies that are not owned by Crown corporations in the Yukon Territory?

Mr. Clerk: There are not any telegraph companies. There are small properties that the company of C.N.T. has purchased in the Territory which they continue to pay taxes on but they are exempt. C.N.T. bought out the company in Mayo and they still pay us taxes on that company but on all their other operations, micro-wave towers, etc. they are all exempt. I have tried to get them on the Tax Roll but have always been told they are a Crown exporation and are exempt. The U.S. Pipelines are not on our Tax Roll while all the pipelines owned by White Pass are on our Tax Roll.

BILL #2

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Mr. Taylor: First of all, do I have the assurance of the Administration that this Bill will be resubmitted to us. And secondly, I would like to direct this to Mr. Clerk, as Assessor for the Yukon Territory you have no knowledge of this Bill going before us in this form. (1986年) (1986年) - 1986年(1986年)

Mr. Clerk: I must apologize and say I did have knowledge of this bill being prepared but my understanding was that it was prepared on the basis of the old 1958 Ordinance and in the rush of getting it prepared and submitted to Council with all the other bills I did not analyze it properly and I have to take the blame for it. I would guarantee if I had my way that Council would have it back in the way I intended it to be.

Mr. Taylor: May I direct a question to Mr. Commissioner. Do Thave your assurance this will be resubmitted?

Mr. Commissioner: Unless there are technical details in connection with getting the bill ready it will be resubmitted.

Mr. Boyd: I just don't know for sure which way this tax is being collected. I have in mind the recent pole line from here to Carcross--a distance of fifty miles. Are they paying on the basis of one per cent of the gross of the revenue and this is intended to change it to so much a mile? What will the effect of this bill be?

Mr. Clerk: The electric light company are assessed on so many dollars per mile. They submit to us each year how many miles they have added or constructed during the preceding year and assessment is based accordingly.

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

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Monday, November 14, 1966. 11:00 a.m.

Mr. Chairman: I will call the Committee back to order. I will turn the Chair back to Councillor Taylor.

Mr. Chairman: What is your pleasure at this time, gentlemen?

Mr. Shaw: Mr. Chairman, I would move that Bill No. 2 and BILL #2 Bill No. 3 be referred back to the Legal Advisor for necessary BILL #3 amendment.

Mr. Southam: Mr. Chairman, I would second that.

Mr. Watt: Mr. Chairman, there are a couple of questions I BILL #2 had on the Bill, not necessarily the Motion, if it is still allowed. I would ask Mr. Clerk, what is the width of a Railway right-of-way?

Mr. Clerk: Mr. Chairman, I am afraid it varies and I am not sure what the width would be, however we are not concerned with the width of the right-of-way. If this Bill is passed the way it should be, it's just so many miles of track as far as we are concerned.

Mr. Watt: One other question I have to ask Mr. Clerk. I don't know if it was the intention of the Bill but, with respect to privately owned water distribution and sewer systems under Government rules, is it the intent of the Bill to tax these as part of the real property? I know of several cases within the City of Whitehorse. For example, the City of Whitehorse has passed a By-Law saying everybody within the City Limits has to hook up to sewer and water. You go down to apply for sewer and water and the City of Whitehorse says, "Well, you are over fifty feet off the Main so you're going to have to put in two, three hundred feet of sewer and water yourself". You can put it under Second Avenue or Third Avenue or wherever you want but they own the street and you own the water and sewer system under the street. Will the individual be taxed on these distribution systems?

Mr. Clerk: Mr. Chairman, I don't know of any individual or private distribution system that I could consider taxing. It is only a utility company that is referred to I believe.

Mr. Chairman: Is there any further discussion on this Motion, gentlemen? e diiv dhambaren

Mr. Watt: Just one more question. The last Session, I understood....it was brought to my attention that the American Pipeline is not taxed because it is an agreement for defence purposes. I have also been informed that a percentage of the use of that Pipeline...I don't know what that percentage is....I think it's hypothetically 25% that is used for commercial purposes....and if it is used for commercial purposes, I am told that it is taxable. The last Session I asked that it be checked into to see if it was used for commercial purposes and if it is taxable. Have you received any answer on that, Mr. Clerk?

Page 137

BILL #2

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Mr. Clerk: My memory is not too good on the percentage that was used or was suspected to be used for commercial purposes. I did come up with the answer that it wasn't taxable but I can retrace my steps on that and if a portion of it is used commercially, I'll make an effort to get it on the Tax Roll.

Mr. Chairman: Any further discussion on this Motion, gentle-men?

BILL #2 & Moved by Councillor Shaw, seconded by Councillor Southam, that #3 REFERRED Bills Nos. 2 and 3 be referred back to the Administration for BACK TO AD- Amendment.

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MINISTRATION

MOTION CARRIED MOTION CARRIED

BILL #4

#4 Ordinance to Amend the Liquor Ordinance. (Reads Bill No. 4 and Explanatory Notes). Mr. Southam takes the Chair.

Mr. Taylor: Gentlemen, it is at this point where I feel that further Amendments will be required in this Bill and that is, again, to provide for the celebration of New Years this year in the Yukon in view of the fact that it is a Sunday. I would like to direct a question at this time, Mr. Chairman, to Mr. Commissioner and ask him if anything has been done along this line.

Mr. Commissioner: Mr. Chairman, I have been looking into this situation and, in fact, I have just this minute been in consultation with Inspector Pantry and before anything further with regard to the possible extension of these hours was indicated, I would appreciate the opportunity of speaking further with my Legal Advisor and my Superintendent of Liquor Control in this connection, but I assure the Councillor that the matter is under active consideration at this time.

Mr. Taylor: 10 Will resume the Chair. How do you wish to proceed at this point, gentlemen?

Mr. Thompson: Could I just ask one question of the Commissioner? You say things are progressing in a favourable manner or you are looking into the thing. Are we looking into it in terms of amending the Ordinance or are we just making a Regulation for this one specific time?

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Mr. Commissioner: Mr. Chairman, this is basically the question that we are looking into at the moment to see if amendment will be required or whether it can be done by Regulation. At the moment, it is my understanding that we will require amendment to the Ordinance, Mr. Chairman, but I would appreciate the opportunity of finalizing my thoughts on this before being called upon to say a definite situation to Council on this.

Mr. Chairman: Would you gentlemen agree then to pass by this Bill until such time as any amendments which may be forthcoming are brought forward at a later date?

Mr. Thompson: Mr. Chairman, may I ask one further question? We are talking solely of New Years and not of Christmas?

Mr. Commissioner: Mr. Chairman, my investigation is prompted by a question that was raised by Councillor Taylor at the Council table here several days ago and if memory serves me correct, the evening of the 31st of December is the evening in question and is being looked into.

BILL #4

Mr. Chairman: Speaking from the Chair, this is quite correct. The next Bill, gentlemen, is Bill No. 5, An Ordinance to Amend the School Ordinance. (Reads Bill No. 5 and Explanatory Notes). That, gentlemen, is the reading of the Bill and the Explanatory Notes. Would

BILL #5

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Mr. Southam takes the Chair.

you proceed.

Mr. Taylor: Mr. Chairman, I would like to direct a question to Mr. Legal Advisor. Does this new section 85 preclude the possibility of a child legally taking correspondence courses at home?....that is to say children who are in the outlying districts?

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Mr. Legal Advisor: Mr. Chairman, if you look at section 85(2)(c) "is being instructed in a manner and to a standard satisfactory to the Superintendent", you will see that a child who is taking correspondence is covered by that.

Mr. Shaw: I can see the difference between....the main difference as far as I can see is that we must see that the child attends school rather than send the children to school. When you send him to school, that's fine and dandy....whether he gets there or whether he doesn't......That doesn't seem to be so much the problem these days as I see it. I see that the parents will order the child to go to school. The Superintendent of Education, or employees of the Department of Education, in this case the principal, will bitterly complain that the child doesn't go to school. Everybody is trying to get the child to go to school, including the parents and including the teachers. Yet the child says, "No, I am not going to school". That is where the difficulty comes in in this particular matter. I can quite see that this clarifies the "sends" and "attends", but I don't think it alters the problem. I think we are faced up to the same thing. What are we going to do with the child? When the parents are trying to do something....everyone is trying to do something...and the child says "Pfft! I'm not going to school", then what happens?

Mr. Legal Advisor: To deal with one point there. This amendment here is really directed at the parent who does not take any steps to send the child to school. If the child is a persistent truant, then the Protection of Children Ordinance is the one which will be applied to the child. It is section 12, which is Chapter 91, Page 1043, in your Ordinances.... "For the purposes of this Ordinance a child is deemed to be in need of protection... who can't be controlled by his parents...there is a specific truancy provision in there....my eye doesn't fall on it at the moment...oh, it's (q) "who is habitually truant from school and is likely to grow up without proper education;". So, you have two Ordinances really - the School Ordinance which speaks to the parent and this, Protection of Children Ordinance, deals with the case of the child who persistently refuses to go to school.

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BILL #5

Mr. Shaw: Mr. Chairman, I know of instances where there is not a child but children, and this is applicable I think you could say throughout the whole Territory ... it certainly is in Dawson. The parent can't do anything about it, but first off the principle complains and the parent can't do anything about it, the parents, because they send the child, the child won't go and they do not have the authority over the child. So, the police are called in on the matter and the police say, "Well, that's not within our jurisdiction. You'll have to go some place else". So our jurisdiction. You'll have to go some place else". So they go to the Welfare Officer, and the Welfare Officer says, "That's not within my jurisdiction. You'll have to go some place else", so by that time all sources where you can get assistance or get the law complied with have been just about finished. The actual facts, Mr. Chairman, are that there are children in this Territory that should be in school that there seems to be no ways, means, or anything else of doing anything about it except saying "Well, you're having a good time, so you might as well continue to have a good time". Now, if these children do that, that might be fine as far as these children are concerned that are committing this offence, but it is a very bad thing for morale for the rest of the school when some of the children, with impunity, can stay away from school whereas others have to be there. It appears to me that something...I don't know we may have the law....there's something we are lacking to force these children to pay attention to the laws of the country in one form or another. There's a blind spot that we have. What it is might involve a lot of areas that don't come under the four I have mentioned, namely, the parent, principle, the police, and the Welfare Officer. Now, you can't do anything in that respect...where do we go from there? I wonder if any member of the Administration, maybe the Commissioner, Mr. Legal Advisor, or somebody can say what can be done in cases like that. It's getting more serious each year.

Mr. Commissioner: Mr. Chairman, if I may say a word on this, I would be very happy if Mr. Shaw could give us his specific instances, as he could, into my hands, and I would be very happy to have a meeting with my Department people, and try to arrange for a time when Mr. Shaw is here also, to see just what can be done with a situation of this nature. Mr. Chairman, we have set up a inter-departmental Youth Committee...I think this has been presented already to Council....perhaps this might be a very good place to take something like this up. I assure you, Mr. Chairman, that Administration would be most happy to see what can be done to assist in the problem in this particular connection.

Mr. Shaw: Mr. Chairman, I would be very pleased to meet with the Commissioner or this group on these matters because they are becoming quite serious...it's a very bad morale problem, as I stated, when some children can do these things and others can't. Certainly the available manpower or Departments have been called in on these cases but nothing is happening and this might be one way of resolving it.

Mr. Taylor: Mr. Chairman, it occurs to me, what do we do with the child who is under sixteen years old and who is expelled from the school for possibly some breach of social behaviour or something of this nature? What do we do with

BILL #5

Mr. Legal Advisor continues:

are biting and it's a good afternoon to play hookey. That situation is generally dealt with by the parent, but if the child is found to be in need of protection, the child may be apprehended under the Protection of Children Ordinance by the Superintendent of Welfare, or a Police Constable, or a Probation Officer...may be apprehended without warrant, bring before the Justice any child who appears to be in need of protection. Well, the Police Officers, Superintendents, Probation Officers, very soon develop a shrewd idea as to whether a child is just taking an afternoon off to go fishing or whether they are persistent. If they feel they are persistent, they take them before the Court. The powers are there. It would have to be studied and a few specific facts

Mr. Taylor takes the Chair.

available as the Commissioner said.

Mr. Chairman: Mr. Southam, did you have something to say?

Mr. Southam: Mr. Chairman, I notice here that a particular child that is in the Mayo district I didn't hear anything about it at the time...but it appears to me...was this child of an Indian parentage or otherwise? I think this always has a lot to do with it. Regardless of what we may think or we may say with this integration, there is a lot of caste system even in the Yukon. The reason that these children don't always go to school, or don't want to go to school, is not necessarily the reason that they don't want to go to school. It is the environment that is made in the school after they get there. I think in some cases the parents are to blame. In lots of cases both parents are working. The child has no home....not necessary that they have to work....sometimes it is necessary. Therefore, the child doesn't have a home environment and he goes to school. He goes to school. He may not be too particularly clean...he or she, whichever the case may be...or as well dressed as the rest, and you know as well as I know, any of you who have been through City schools, what you have to put up with. I know. I'm talking from experience. Life can be made pretty miserable for them and this may be part of our troubles. I don't know. It would seem to me that maybe we need more Truant Officers, more checking up, more checking up on the children and also the parents, and find out the situation as it may be. These are things that a child of eight, nine and ten feels when they go to school. They are not wanted. So, what do they do? They go to extremes. They raise hell. They do this. They do that. They do the thing and finally they get thrown out as Councillor Taylor They are expelled. What are you going to do with them? I don't know. They go back to school and somebody picks on them. This has happened. This has happened up in Elsa. It's nothing new and I think it happens all over. I have never had the been expelled from school ... but pretty close to it a couple of times. I don't mind admitting it. Just for the same reason I am talking about now....because they are not accepted, and I am telling you, gentlemen, it's a pretty serious thing when children go to school and they find that they can't play with nobody, or are not accepted in society and this, I think, is a lot of your trouble in the Yukon.

Mr. Chairman: Thank you, Mr. Southam. Is there any further discussion on this Bill, gentlemen?

BILL #5

Mr. Taylor continues:
them? Legally, if a child doesn't go to school, under this
Ordinance, his parents could be liable...to make sure he
goes to school at possibly some other place....I don't know.
This is a matter that should be taken into consideration.
Also, I would like to know if information can be obtained
readily, as to just how many dropouts we have of children
under the age of sixteen, if any, for that matter, because
these are two situations that have not been provided for
in the Ordinance.

Mr. Commissioner: Mr. Chairman, on the question of dropouts, I will certainly secure for Council such information as we can get. I think that the Council will recognize also that many times boys and girls leave the normal school system, possibly at the request of their parents or their own desires, and we don't know if they would be genuinely classed as school dropouts or not, Mr. Chairman. I would certainly be happy to provide Council with such definite information as we have available to us. I would be very pleased to do that.

Mr. Taylor: My point was that it seems to be under the Ordinances if you see a person and can prove that that child or person is under the age of sixteen years of age and you see them on a street or in another place other than school during any school year, under this Ordinance he could be penalized regardless of why he was there even if he had good reason to be there. There is no provision for that child.

Mr. Commissioner: Mr. Legal Advisor, could you clarify that point for us, please?

Mr. Legal Advisor: He could be penalized. If the child is to be penalized, he will be....possibly the word penalized is not the correct word...dealt with...he would be dealt with...not necessarily penalized...and he would be dealt with under the Proection of Children Ordinance, but it's under the School Ordinance where the parents are failing, the guardians are failing, to send the school age child to school. If it's the parents fault, then you take the School Ordinance and throw that out. With regard to the occasional absence, this doesn't really fall within the Protection of Children Ordinance...it's the one who is the persistent truant who is in danger of growing up without an education. Again, it's not a question of penalizing. A Court Order under that Ordinance is always seeking to protect the future of the child. It is not penalizing.

Mr. Thompson: I was just going to ask....Mr. Shaw has given us a situation that exists in Dawson. I am just wondering what happens in a similar situation here in Whitehorse. I take it that in Dawson they do not have a truant officer. Here we do have a truant officer but should this...I think the Legal Advisor's term is....persistent truancy occur, then it comes under the Protection of Children Ordinance, and I am wondering whether this is the method whereby you could have some teeth put into any action that might be required in this particular situation. Would this be the correct approach to it, Mr. Legal Advisor?

Mr. Legal Advisor: The child may be apprehended. I mean it's not the situation where it's a fine day in summer, or the fish

Mr. Boyd: My opinion, for what it's worth, is that I think we should pass this Bill. It's here for an obvious purpose and by the same token, it's up to Administration and the Department of Education and so on to, I think, tolerate some of the conditions that exist and find out why. For instance, I am thinking of the child that possibly Mr. Southam mentioned. I know of Others. They don't want to go to school to learn about Julius Caesar or King Charlie the Second in his dungeon. This is not his kind of life, but the same child, if you send him over to the Vocational School and gave him a welding torch, a wrench, a truck, a tractor, he might turn out to be a pretty happy man...something along this...but to say to the parent or the guardian, "You will see that that child is in school"....I don't believe in this. If a child is not going to go to school to learn, then he's not going to learn, but he may go to another school to learn...one that holds something along the line of his capabilities, thinking wise and so on...not to figure out and read things that don't even enter into his cat gory thinking wise and so on.

Mr. MacKinnon: Yes, Mr. Chairman, I would like to say that there are many parts of this Bill that I do not agree with and it is based mainly on the items that Mr. Boyd has just brought up. A lot of children are married at sixteen. Are you still going to force them to school? Who are you going to hold responsible - the husband or the father? I don't think it makes too much sense. I believe we are trying to take too firm a hold on other people's lives. Undoubtedly the children that will eventually gain an education will go to school. Some do not want that type of education. Then I don't believe they should be forced into the education, or jailed, or fined. I would also like to direct a question to the Legal Advisor, asking him where we get the word "Minister" in this draft...in subsection (a)?

Mr. Chairman: I think that's in the Explanatory Notes.

Mr. MacKinnon: Yes, in the Explanatory Notes.

Mr. Legal Advisor: You could substitute the word "Superintendent". It is trying to show you that similar legislation exists elsewhere...that is where there was the Ontario reference where the "Minister" exists. It is trying to show that in one jurisdiction that the Minister has the power. Here I would suggest it should go to the Superintendent.

Mr. Boyd: Let's make ourselves clear here. We have been dealing with something which has not been spoken of in so many plain words. I would like to ask Administration, is there such a case in existence whereby a child was capable of learning, had all the facilities acceptable in school, and yet the parent himself would not see that the child went to school? Did the parent or guardian take it upon himself to keep the child out of school for no apparent reason as far as the child is concerned? Could we have that answered?

Mr. Commissioner: Mr. Chairman, I would endeavour to find if we have a record of such a case. Perhaps Mr. Legal Advisor knows of such a case right off hand.

BILL #5

Mr. Legal Advisor: I can only refer to the Mayo case where the authorities were advised that they shouldn't take action against the parent, whoever the parent was. I don't know if it was native parents or white parents. I might say that I have had cases where integrated parents, the question of the truancy behaviour of their children has come up as an indicator of whether they had re-established themselves in their attitudes towards society. With regard to this Bill which you have here, it isn't anything new in concept. You have had the same thing before but it had been worked out so that when it came down to enforcing it, difficulties were encountered. You had approved the idea of a parent being compelled or compellable to send a child to school so the philosophy you had dealt with in 1962, but the mechanics on the draft were defective. If you want to examine the philosophy, this is entirely within your power. We are merely trying to put in effective machinery to carry out the rules for a particular situation.

Mr. MacKinnon: Mr. Chairman, one more question I would like to ask. This all boils down to Elementary and Secondary Schools. What about our Vocational Training School, or Art School, or anything you might wish to say? If the child prefers Art, this is not classified as Secondary or Elementary School, is it?

Mr. Legal Advisor: I have to turn to the definition of schools.

Mr. Chairman: Gentlemen, I wonder if it is your desire, in view of the fact that it appears that this discussion will go into the afternnon, maybe Mr. Superintendent of Education could answer some of your questions in this regard.

Mr. Legal Advisor: A School means "A School to which this Ordinance applies". A School system shall consist of Territorial Schools, district schools. Territorial Schools may be public schools or separate schools and so on. The Councillor may have a point on this Vocational School. I would like to take some time and discuss this with the Superintendent of Education. Could I draw your attention to an error in the text of the first line of section 1 where it says "Section 85 of the School Ordinance is replealed". See, there is an example of how, if I may say so, of how easy it is to assume that a word is a word that you want which was under discussion.

Mr. Chairman: Gentlemen, in view of the time, I think we will recess Committee until two o'clock. I am just wondering, did you wish the attendance of the Director of Education this afternoon?

Mr. Commissioner: Mr. Chairman, I doubt if he would be available for this afternoon. I could inquire if you wish, Mr. Chairman.

Mr. Chairman: First of all, I think the Committee should determine as to whether or not they do require his presence.

Mr. Shaw: Mr. Chairman, I don't think we require him for this particular section. This is fairly clear.

All: Agreed.

Mr. Chairman: Gentlemen, this Committee stands recessed until two o'clock this afternoon.

Monday, November 14,1966 2:00 P.M.

Mr. Chairman: Gentlemen, I think we should get back to busi-BILL #5 ness now. I will call the Committee back to order and may mention that Councillor MacKinnon indicated that he may be a little late. We are dealing with Bill #5 'An Ordinance To Amend The School Ordinance.'

Mr. Watt: Mr. Chairman, I have one little question in Section 85 "every child"— the last part of it— I will read the whole thing "every child that is seven years of age or over, but not over the age of fifteen and is resident in an area in which there is a school, shall attend school on every school day of a school year and", and this is the part that puzzles me, "if so instructed by the Superintendent, on every school day during the months of July and August." Why is that added, Why could the Superintendent ask someone to attend in July and August, when normally the schools are closed?

Mr. Legal Advisor: I would be able to answer that question more confidently if I could check with the Superintendent, but I think it is because of the Old Crow situation where the holidays are not the same as elsewhere. I recollect that in 1962 there was some discussion on how to cater to Old Crow's ratting season.

(Mr. Southam takes the Chair)

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Mr. Taylor: Mr. Chairman, there is only one thing I have to say here and this you will notice that it is placing the onus on getting the child to school on the parent, which is all right but I would not want to see enforcement under this section to a degree that some parent would be wrongly charged and possibly convicted. As we have found that some times that parent may try his best and yet he cannot control the child and the child still refuses to go to school. It could be that the parent could be hauled up before a J.P. and condemned. The other thing is that we have the greater number of native children attending our schools, and I think this is wonderful. This is something we have been striving for. However, it is well to recognize, as I said before, that the Federal Department of Indian Affairs have failed them in respect to social education at community level, and although they build them houses and hand out fish nets, and make these people as closely dependent upon government welfare as you can possibly hope to, and while the political football is made out of this, we still have failed in the main objective and that is social education at community level. We have the problem here where the parents of the children don't understand the law and consequently, they can be penalized under this section of the Ordinance if the child doesn't attend to school. And, here I suppose it would be left to the law enforcement body that attempts to enforce this. We can see where this could run hard on the native people in view of this particular social education position they are in. We see this in the case of ligarrange. These people are harded in see this in the case of liquor. These people are hauled in before the courts of the land and charged criminally for social offences that not even the law would recognize that these are in effect social offences. In this case I know of one person who got drunk three times and they picked her up three times and they put her in jail for four months outside in prison instead of trying to find out why the drinkBILL 洋 5

(Mr. Taylor continues) ing. I raise this at this particular time to say that I hope, and I sincerely hope, that this will not place any conditional hardship on parents of native children, where the child does not go to school and the parent cannot control the child.

(Mr. Taylor resumes Chair)

Mr. Boyd: Mr. Chairman, I would suggest to Council if we are to pass this Bill without amendment that the understanding, and naturally it has to be that way; I think it is that way, those conducting the management will certainly take all angles into consideration. I don't think they will try to do something to the parent of a child that is unmanageable. I would make the Motion that we accept this Bill without amendment.

MOTION

Mr. Southam: Mr. Chairman, I will second that motion.

Mr. Chairman: Is there any further discussion on this Bill #5, gentlemen?

Mr. Watt: Mr. Chairman, I think, from my point of view, this particular bill has a few too many of the so-called teeth. There seems to be many individuals working for teeth in many bills and ordinances, and I believe we got along in the past without these particular teeth and I think that we should remain the same. Now, Mr. Boyd feels that we should pass this bill without amendment but at the same time if you do, law is law. For example at Haines Junction now we have R.C.M.P. that will enforce the law according to the Ordinance and at the same time our Haines Junction police are extremely good but possibly five or six years from now you don't know who you will have. This could get very rough. I am not thinking of myself. I hope my children will have sense enough to go to school but there is going to be a lot of cases where the children are not going to go and there is very little you can do about it. I know that in the past they would have the parents arrested over the same thing. In fact there has been a couple of ministers--preachers to see me about the same type of instance and also discussions with the police about making arrests of fathers who have unmanageable kids. There is nothing you can do with that kid; he is only young. He is perhaps only eleven or twelve and he is near impossible and the police would have liked to arrest this fellow for not having the child at school. And, I have discussed this with them and I don't think this is right. This would give them the exact power that some of them want. They want to arrest him because his child has left the school across the river here and wandered back into the bush and started hunting for himself and making his own way. I think this ordinance is bad in this respect and I could not vote for it.

Mr. Boyd: Mr. Chairman, is he saying that an eleven-year old child can dictate his future. What his future will be he does not know and the end result will be that he will be another welfare case, that is all. I don't think that this is right and I think also that there are some parents. There could be some parent that does not believe in sending the children to school. I am satisfied of a situation of this kind right here in the Yukon. And, certainly, take for example the Doukhobors, they don't believe in sending their children to school. The public don't accept this kind of thinking, and I am in

(Mr. Boyd continues)

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favor of the bill, as I said, I am confident that the administration and justice will use discretion to the utmost.

Mr. MacKinnon: Mr. Chairman, in answer to Mr. Boyd, does he realize that when he is speaking, he is speaking of non-educated parents? These non-educated parents don't realize, and neither do their children, the value of education. They do realize they can teach the child in their own environment and they can live and get by. Until you are rid of this type of thing then you have quite a problem on your hands; one that neither you nor I can solve.

Mr. Chairman: Gentlemen, is there any further discussion on this motion? It has been moved by Councillor Boyd and seconded by Councillor Southam that Bill #5 be reported from the Committee without amendment. Are you ready for the question? Agreed?

in an agus bayasa in lung kang Pantingan in mengapangan basa Mr. MacKinnon: Mr. Chairman, I would like it recorded that Miles A. Miles A. Miles (東京) (東京) Martin A. Miles (東京) (東京)

Mr. Chairman: Motion Carried.

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Mr. Chairman: The next is Bill #6 - An Ordinance to Amend BILL #6 The Coroners Ordinance. (Reads Bill #6).

Mr. Chairman: That, Gentlemen, concludes the reading of the bill.

Mr. Shaw: Mr. Chairman, I was wondering "Coroners" are appointed to office -- are they medical men or just anybody? Could I have that question answered by Mr. Legal Advisor.

Mr. Legal Advisor: The power of appointment lies with the Commissioner and the present most active coroner, not the Chief Coroner; we don't have a Chief Coroner, in the Yukon is Mr. Thurber. He seems to be taking most of the cases. Dr. ... used to take most of the cases when he was there. But Mr. Tyler -- and whenever there is a reasonable community the person -- there is generally a person who is also a J. P. is appointed as Coroner. But the appointment as a Justice of The Peace is, of course, not in the power of the Commissioner.

Mr. Shaw: Thank you, Mr. Chairman, and I would like to ask would it be the Coroner that would have the say as to whether there should be an inquest or not? Is that where the authority lies? Is it left entirely to the individual themselves without any training in particular?

Mr. Legal Advisor: They generally do turn for guidance. If it is clear from the medical evidence that death is due to disease or sickness then really there is no problem. In the first instance if he believes that death has resulted from violence, misadventure or unfair means he shall issue his warrant, take possession of the body and shall view the body and make such further inquiry as may be required to determine whether an inquest is necessary. If it is discovered at this stage that someone has been charged with murder he would not

BILL #6

(Mr. Legal Advisor continues)
he would not proceed with the inquest. Then the Commissioner
if he wishes can appoint somebody else to take an inquest if
even though an inquest has been started by another Coroner,
that is if the Commissioner feels that an inquest should be
held, notwithstanding that the local Coroner has decided that
it is not necessary, he can still order it. While he has
these powers to make this decision there are other powers to
correct his decision.

1 Mr. Shaw: I brought that up, Mr. Chairman, because I was at one time on what you call a Coroner's jury and this person had presumably died by drowning. As one of the members of the jury I was taken around to view the body in his birthday suit, and all I could say was that the man was dead. I knew the man. I don't believe there was ever an autopsy performed to determine whether he did actually die of drowning. He had a contusion, I believe they called it, on his forehead from hitting log as he went down. I, as part of that jury to ascertain how this person died-- somebody said maybe the doctor or someone that he died of drowning, and I imagine that he did die of drowning, but I don't know that any post mortem indicated that it was actually the reason he did die. I am just wondering if there was no autopsy to indicate how the man died. That is why I thought we would have to have a medical man.

Mr. Taylor: Is this not presently provided, Mr. Legal Advisor in Subsection (3)?

Mr. Legal Advisor: You mean the case cited by Councillor Shaw? Well, Section 3, the Oath of Allegiance--

Mr. Taylor: Subsection 3 of Section 7.

Mr. Legal Advisor: Oh I am sorry, I thought you said Section 3. In the case cited by Councillor Shaw the coroner, presumably had available to him some doctor's evidence. Some Coroners admittedly reach their conclusions and charge their juries on less evidence than other Coroners would insist upon having. It may be that something more should have been done in that particular case. I cannot make a general statement that would be of assistance to the Committee. Some Coroners will be more careful than others. It is difficult to provide legal assistance for the Coroners or secure professionally qualified men for every inquest in the area. We can't stretch ourselves in every direction. If the Councillor wishes to give me the name of the person and some of the background I will do what I can to give him a further report.

Mr. Shaw: Mr. Chairman, this is something that happened fifteen or twenty years ago but I just wondered what the qualifications of Coroners were and whether they were trained personnel or just some fellow like myself or maybe a J.P. It would appear to me that this person certainly was not operated upon to find out whether he died of water or whether he died of this contusion he had on his head.

MOTION

Mr. Watt: I have no further questions, Mr. Chairman, and I move that this Bill #6 be passed out of Committee without amendment. It was seconded by Mr. MacKinnon.

Mr. Chairman: It has been moved and seconded -- moved by Councillor Watt and seconded by Councillor MacKinnon that

(Mr. Chairman continues)

Bill #6 be reported out of Committee without amendment.

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Mr. Chairman: The next item is Bill #7,-An Ordinance to BILL #7 Amend the Low Cost Housing Ordinance. (Reads Bill #7).

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1.4 36 215 Mr. Chairman: That concludes the reading of the Bill, gentlemen.

Mr. Shaw: Mr. Chairman, this is something I am very happy to see; something we tried to get into effect since 1962 or somewhere around there when all members pointed out to government that you could not do anything with seven thousand dollars and now we have ten thousand dollars. I very much approve of this particular ordinance and I hope many more people will be able to take advantage of these terms and be able to build their own residences.

Mr. Boyd: Mr. Chairman, perhaps I should point out to Councillor Shaw that three years ago a seven-thousand-dollar. house built today would cost ten thousand dollars to build. So the man building a house in reality is not going to build any better than a seven-thousand-dollar house as it existed in 1963. He is just being allowed to take care of the increase in cost but no better home.

Jaw Kitter Mr. Shaw: Mr. Chairman, I have just built a house. And when we are talking about a house increasing from seven to ten thousand it may be when you are hiring to build it but in most instances a person could do a great deal of work themselves on the house and the raise from seven to ten thousand when you are doing the work yourself-- because of the cost-- most of the cost in this day and age, I believe you will find a large percentage is labour but when you are doing your own work it has not increased anything like thirty per cent or forty per cent of this increase in the amount of the loan from seven thousand to ten thousand. If Councillor Boyd would start building a home himself and doing the work himself he would find that it has not increased that much in the last four or five years.

Mr. Boyd: Mr. Chairman, for the information of Mr. Shaw, I greatly fear you are wrong inasmuch as it doesn't matter who does the work it is the value of the house after it is built that counts. And, this is the way it was told to me before and this is the point I did not agree with.

Mr. Shaw: I still think we have a pretty enough country that a fellow can place his own value on his own work that he does.

Mr. Watt: I agree with Mr. Boyd, Mr. Chairman, that if we went to a contractor to build a house we would not get much of a house for ten thousand dollars. And, most of the houses built under this ordinance would be houses in excess of the value of ten thousand dollars. That is the estimated value of the house no matter who puts the labour in. I think it is quite right that a person should be able to add his own labour. I would like to see that raised from ten thousand to twelve thousand dollars because in a period of a year a BILL # 7 (Mr. Watt Continues)

year a person could easily put two thousand dollars labour on it. I would like to see this change and I would like to hear from members of Council on this. One other question I did have which I would like to direct to the Administration is how many one-thousand-dollar loans have been given out in the past year?

Mr. Commissioner: I can't tell you off-hand, Mr. Chairman, but I certainly see that this information is made available.

Mr. Watt: and, supplementary to that how many low-cost housing loans have been given? I would like to compare the percentage that are taking advantage of these loans.

Mr. Commissioner: Now, Mr. Chairman, how many one-thousand-dollar loans? That is in the last twelve months and how many los-cost housing loans under this ordinance.

Mr. Chairman: I would like to direct a question from the Chair, Mr. Clerk. Does this mean only the first mortgage aside from the person who is eligible to get an additional one-thousand-dollar second mortgage loan?

Mr. Clerk: I am not too sure. Perhaps we can ask the Legal

Mr. Legal Advisor: Yes, they go hand in hand. Perhaps to understand I should explain why there has been a change in the twenty-year term. This is so that if a person borrows a greater amount he won't be trying to pay back a hundred and twenty five a month because he has a bigger loan. He will have a longer period to pay. So the monthly installments won't go up. That is why it has been stepped up to twenty five years.

Mr. Chairman: I am right then in assuming that you actually can get eleven thousand dollars through our over all scheme?

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Mr. Legal Advisor: No, it is eight under Subsection 3(b) and the maximum is two which gives you ten. I would have to check that. I think it is not eleven; I think it is ten.

Mr. Watt: Mr. Chairman, with respect to the last statement of the Legal Advisor, is not the two-thousand-dollar second mortgage only available only for mortgages taken under the National Housing Act?

Mr. Legal Advisor: Mr. Chairman, as I indicated, I want a little moment -- perhaps after recess I can come back with the details. I see... only every two years with some amendments.

Mr. MacKinnon: I have not been involved in this type of thing up to the present but I did get a phone call over the week-end from one of my constituents and he hoped it would be stepped up to ten thousand. I believe this particular bill is stepping it up to ten thousand and I am for it.

Mr. Shaw: Mr. Chairman, I can assure you that it is something that is very hard to get raised. I think you will find that there has been a lot of discussion on this matter. The second mortgage is one thousand. If you complete the building

(Mr. Shaw continues)

BILL # 7

and payments they let you have the thousand dollars. In the meantime you still have to dig up a thousand dollars of your own money. But this an improvement in the right direction. We should also take into consideration that this is what they call the 'low cost housing'. It is not a normal house; it is a low cost house where the other type of mortgage is not available. It is quite possible that a twelve-thousand dollar house is a better house to put up than a ten-thousand dollar house. Of course, you can go on and on on that kind of a situation. But to get this change this has to go right through the Treasury Board and to Cabinet to get approval and they have seen fit to approve an additional two thousand dollars of the loan and also allowed a maximum of ten thousand dollars, and though it may not be just what will fit in with every persons wishes it is an improvement. And, in view of that I would like to move that this Bill #7 be accepted without amendment.

Mr. MacKinnon: I will second that, Mr. Chairman.

Mr. Chairman: Any further discussion on this bill?

Mr. Watt: Mr. Chairman, There are some questions that may be answered by the Administration that may affect the usefulness of the ordinance. By increasing the maximum we could double the usefulness of the ordinance. I think we are a little hasty. The reason I asked these questions of the Administration is to see if we can assist as many people as we possibly can to get adequate housing. I think when we get the papers back we will probably have how many in the outlying areas are taking advantage and find out how effective the low cost housing is in other areas. We will find out how it is helping out in other areas besides Porter Creek. I would like to see this held in abeyance in case we can add something to it that meets with Administration's approval and still assist some people to obtain housing. I am not saying that the loan should be increased but the estimated value of the house should be increased. This would not affect the Treasury Board. The estimated value of a house at ten thousand does not go too far. It is more or less a shack housing ordinance.

Mr. Shaw: Mr. Chairman, in moving this bill as I did I perhaps should give my reasons for so doing. I quite realize there may be other matters that could be improved in this low cost housing program but I do know how difficult it is, from experience, to get any changes in this particular program. I also know that when we pass something here in respect to this it has to go from here to Northern Affairs for their approbation; it then has to go to the Minister of Northern Affairs; and then to the Committee on Northern Affairs; and then go to Treasury; and then go to Cabinet. think that is roughly the stages that something like this would go into. And, that would mean that by not giving agreement to this, and I doubt that agreement would be gotten from all these parties, it would be months if not years. In passing this bill we at least have an improvement for the people who are wanting to build houses. We have immediate approval they can take advantage of as soon as this bill is assented to by the Commissioner. If we want further improvements I think It would be better if the Council or members of Council would forward a proposed resolution and so on to that further improvement, but if we don't accept this now it may

BILL "7

May mean that from now until at least until spring these people who want to take advantage of this have to revert back to the old ordinance and build a house for seven thousand dollars. Now this is a three-thousand-dollar raise. If we could take that and from there on continue through the normal methods to try and get improvement made to it. That is why I make this motion, Mr. Chairman, not to rush anything through, but through prior knowledge how these things work this would be a good substantial step in the right direction.

Mr. Legal Advisor: I think when I indicated that the Commission could make an advance of two thousand dollars I was thinking for the moment of the Yukon Housing Ordinance. Of course, the low cost housing is still a thousand. There will be the house builder's own equity in the ten thousand. I think the other is ten thousand but I will come back to that at a later stage.

Mr. Boyd: Mr. Chairman, Mr. Watt has a very good point beyond all doubt but if he recalls the conversation that went on I think probably a year or so so ago when we did try to get these things and I remember I was quite emphatic about the situation. It certainly got turned down right pronto by I would say Ottawa for the very same reasons that Mr. Shaw pointed out. They have a set of rules and regulations and they are applicable to all over the Northwest Territories or wherever it may be, and for us to get a change made here I think it is going to be late. I would like to see it accomplished but I don't think it is worth delaying the bill.

Mr. Watt: Mr. Chairman, I would like to ask Mr. Commissioner if he sees any reason why an amendment—I don't mean the cost of the loan as allowable but just the estimated value of the house so that if someone wants to build a house that is valued at twelve thousand they can still get the two-thousand dollar loan rather than somebody that just has a house that he would like to build in ten-thousand-dollar value. Say a man has four or five children and would like an extra bedroom that would cost a couple of thousand dollars and he can still get the loan if the house is valued at ten to twelve instead of ten thousand. I am not asking that the loan be increased; only the value of the house. I cannot see why it would involve the Treasury Board or anybody else because the value of each loan on each house is the same.

Mr. Chairman: Gentlemen, I think we will call a recess.

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Council adjourned for recess.

Monday, November 14, 1966 3:30 P.M.

Mr. Chairman: At this time we will call the committee back BILL ...7 to order, gentlemen. We were discussing a motion moved by Councillor Shaw and seconded by Councillor MacKinnon that Bill #7 be reported out of Committee without amendment. Is there question on the motion?

Mr. Boyd: Question on the motion.

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Mr. Chairman: I believe, just before we call for question Mr. Legal Advisor has some information that he was trying to get.

Mr. Legal Advisor: Well, just to restate the total of allowance available under this ordinance would be nine thousand; eight thousand plus one. The ten thousand limit relates to those situations only which the commissioner has made a onethousand-dollar loan. It does not relate to the situations where the first mortgage is taken. For instance it would be possible to take an eight-thousand-dollar loan for the first mortgage and don't bother about the second mortgage, and you could build a house say twenty thousand. The top limit only comes in only when the one thousand is borrowed and the reason for that appears to be that this is a gift proposition and if you lived in a house there is a forgiveness clause. The Commissioner may forgive payments in the amount due on any mortgage if you continued to live in the house. Well, if a person has enough money to put up a twenty-thousanddollar house they are not the type of person it is intended to help by giving them a one-thousand prepayment forgiveness. I understand it is the intention of this legislation to fill the gaps left by the C.M.A.C. mortgage; not to be in compettition with the C.M.A.C, but to cover the situations where the householder did not qualify under the C.M.A.C.

Mr. Chairman: What is your further pleasure, gentlemen?

Mr. MacKinnon: I want to be sure I have this straight. I may repeat some of the things the Legal Advisor pointed out but the way I understand it is when the first mortgage—you can with the first mortgage you can obtain eight thousand dollars to build any type of house you wish up to approximately twenty thousand, but if you want to obtain the full value you get only eight thousand plus one to build a limit on a ten thousand dollars, is this correct?

Mr. Legal Advisor: Mr. Chairman, on a ten-thousand-dollar loan you can only get the eight to the one. The ten thousand dollars limit is put on to make sure that the person who is taking this one thousand dollars loan, which need not be repaid if he lives there is a person whose means only enable him to go for a ten-thousand-dollar house. As I said before, if you have the money to put up a twenty-thousand-dollar home you are not the person who should be forgiven the thousand dollars.

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Mr. Commissioner: Mr. Chairman, I would volunteer to have a paper tabled for the Councillors' information of the actual mechanics of handling these loans which would help the

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BILL #7

(Mr. Commissioner continues) the Councillors in dealing with questions from their constituents. Would that be satisfactory, Mr. Chairman?

AGREED

Mr. Commissioner: Mr. Chairman, may I have this opportunity to answer Councillor Watt's question?

Mr. Chairman: Yes, proceed.

Mr. Commissioner: The impact of this bill, gentlemen, is so we here in the Territories can participate in an alleviation of the loan limitation as passed by the Cabinet order. If it is the Council's wish that there should be a further easement of these limitation I would suggest that we refer to the suggestion of Councillor Shaw that we table a resolution and this would be forwarded to the federal authorities. Actually what you are doing here, gentlemen, or being asked to do is to allow us to participate up to the limits of this particular aspects of the housing loans that the Cabinet has seen fit to make arrangements for.

Mr. Chairman: Gentlemen, have you any further questions?

Mr. Watt: Yes, Mr. Chairman, that would meet with my objection. As Mr. Boyd has said that it has taken two to three years to raise the limit to ten thousand and if we pass this and then probably make a resolution, if Mr. Speaker would allow a resolution of this type and the intent of it could be passed on to Ottawa suggesting it be raised to twelve thousand. I would vote for this bill as it is with the realization the limit is not high enough but --.

Mr. Chairman: Gentlemen, it has been moved by Councillor Shaw and seconded by Councillor MacKinnon that Bill #7 be reported out of Committee without amendment. Question on the Motion?

MOTION CARRIED

BILL #8

AGREED

MOTION CARRIED

Mr. Chairman: Shall we proceed with Bill #8. This is an Ordinance to Amend the Fire Prevention Ordinance. (Reads Bill #8).

Mr. Chairman: That, gentlemen, is the reading of Bill #8. I would like to direct this question from the Chair: This is to the Legal Advisor. Has this authority been questioned? What gave rise to the bill?

Mr. Legal Advisor: I don't know whether it was questioned but it was at the request of the fire marshal that it was prepared. What difficulties his absence has given rise to I don't know.

MOTION

Mr. Thompson: Mr. Chairman, I see no problems in this particular bill and I would make a motion to the effect that we accept it as written.

Mr. Boyd: I second that motion, Mr. Chairman.

Mr. Watt: I would just like to ask the Commissioner who is the fire marshal now?

Mr. Commissioner: Mr. Chairman, Mr. Wattinau is his name. He is the fire marshal for the Yukon Territory and he has his headquarters in Ottawa and his deputy in Yukon is Mr. Swanson.

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Mr. Chairman: Any further questions?

Mr. Watt: I would like to ask the Commissioner if he thinks Mr. Wattinau would be better able to service Yukon if he was stationed here?

Mr. Commissioner: Mr. Chairman, I would be subject to correction but to my knowledge this was by prior agreement with Council. Perhaps Mr. Clerk could advise under what ordinance this was dealt with but this is a matter I am confident, Mr. Chairman, has had the approval and approbation of Council at a prior time.

Mr. Watt: I think, Mr. Chairman, that there are a lot more investigations now as far as fire is concerned that there was when this was passed four or five years ago. I was wondering that with the large number of investigations that we have had, must have been up to a million dollars fire in the Yukon, half a million dollars on the school alone, that the services of this man might be better performed -- he would be better familiar with local conditions if he was right here. He would be better able to make recommendations as far as fires and and maintenance is concerned.

Mr. Commissioner: Mr. Chairman, if I may further speak to this matter. It would appear that as we are able to assemble professional and experienced staff that are required for this particular type of investigatory function, I think that Council will no doubt find that this will be the recommendation of the department that instead of having a deputy fire marshall that you will have your own fire marshall. That these people like many others of their type are not too easy to find and Council agreed that it was best that a very highly well qualified person directing the activities of the fire marshall's office here in the Territories was of prime importance. I believe that Mr. Wattinau directing Mr. Swanson's activities here is working out to be quite satisfactory. If Council has any advice on the contrary I would be very happy to take it up under advisement, but I do believe that the situation will evolve pretty much as I have outlined.

Mr. Boyd: Mr. Chairman, Wattinau was in the Northwest Territories when this fire took place and I thought it rather strange that he didn't even bother himself to come up here and look into a fire of this capacity and size . He merely went back to Ottawa and said that in six weeks time he would be in the area. This struck me as rather peculiar and I now face the problem of wondering how much experience has the present man in investigating fires. How much experience -- we still have not heard what was the trouble. Surely by now there must be some answers available. One begins to wonder. Does Mr. Smith have any comments as to why Mr. Wattinau did not come and look-- why he didn't make it his business to come and see for himself.

Mr. Commissioner: Mr. Chairman, I cannot answer immediately but I would be very happy to see that the Council has a report concerning the activities of the fire marshall and to

BILL #8 (Mr. Commissioner continues) see they are provided with such information as they are able to supply us with in connection with this investigation at this time.

Mr. Boyd: I presume you would be prepared to include what experience the present fire marshall has? Is it just a man off the street like myself or does he have some ability?

Mr. Commissioner: Mr. Chairman, without looking this up but as far as my memory serves me this was a competitively filled position so so it is a reasonable assumption that the position was filled with the most qualified person that was available to do it. I will endeavour to answer the question of the Councillor as fully as possible.

(Mr. Southam take the Chair)

Mr. Taylor: Mr. Chairman, I have been active in the fire suppression work and also as a Councillor, and I believe the gentlemen who is now the fire marshall was appointed by the federal government. He is a very highly qualified man in matters relating to fire protection and fire suppression. He in company with the deputy fire marshall ever since their appointment represent not only Yukon but the Northwest Territories, endeavoured to assist us in telling us where we could upgrade our departments and line up equipment and organization. They have more or less got our fire department more or less on the road here. Also as a part of their work they have involved themselves not only in the prevention but also to determine how the fire has started. Now since that time as part of that upgrading system, where only fire chiefs were local assistants before, or deputies in a sense of the word, a gentelman has been appointed to be a permanent deputy who is in the territory, and that is Mr. Swanson. And, I can certainly say that he has had many years of experience in fire suppression and is certainly well qualified and is doing an exemplary job. And, as has been outlined by the Commissioner the intent is to see that we eventually have a resident fire marshall in the territory. Whether or not this is considered for the next five-year period I don't know but that is the way it works. He conducts training films and works with the fire department in the territory.

Mr. Watt: I wonder if this man's job is completed and we have a local fire marshall doing the job we might as well hand the hat on it and let him do it. We don't really need the services of Mr. Wattinau here. We have our own fire marshall here. I cannot see what Mr. Wattinau is doing.

Mr. Commissioner: Mr. Chairman would you permit me to get a full report to Council so that I think it will help to answer Councillor Watt's questions.

Mr. Taylor: Mr. Chairman, in answer to that I cannot agree that Mr. Wattinau has completed his job by any means or any sense of imagination. There still remains a great deal to be done, the fire departments must be upgraded. Many have been running in very poor shape mainly because of a lack of money to fix them up. Many are with inadequate equipment. I know of one case here that the truck froze up and the pump split asunder and to try to fix it they just don't have the money for a new fire truck and many cannot even put sirens in the

BILL 38

(Mr. Taylor continues) communities that have no fire truck in order to alert bucket brigades. I am told that we won't have any until the next agreement and I am also told that even that might be chopped so I don't know where we are going but certainly Mr. Wattinau is the man that is fighting for us in this respect. As I say, his job is most needed especially in view of the fact that he is in process of setting up useful, workable and functional units, and any suggestion that Mr. Wattinau's job is concluded and that he should be got rid of at this time will certainly not receive my support.

Mr. Shaw: Mr. Chairman, as far as I can recall Mr. Wattinau was appointed by the Commissioner in accordance with an ordinance we gave. The territory was not large enough to have a steady fire marshall and we used the services from time to time of Mr. Wattinau, and he would travel to Yukon Territory periodically and hold meetings with our fire chiefs and the various communities and municipalities in the Territory and advise them and also advise government what equipment was needed and the ramifications on that type of job. I was not aware that we also had an assistant fire marshall in the Territory, just as has been stated today that Mr. Swanson is the assistant or deputy. Might I enquire is this a full time job or is this some person employed in the fire department --

Mr. Commissioner: This is a full time position for this man and it is part of the over all program, as I indicated a few minutes ago, who will uitimately give your own fire marshall. This job being done is a job that Council must have had some strong feelings on and have passed and instructed the Administration to get it attended to. This job includes not only the upgrading of the equipment in various communities in the Territories that are not large enough to support their own but also continuous inspection and upgrading of public premises such as hotels and things of this nature. In the report that I will get to Council I will see that they are fully aware of the type of the day to day activities presently being conducted by the fire marshall's department here in the Territory. I don't think, Mr. Chairman, that you will be disappointed with what is being done.

Mr. Shaw: Is this a Territorial government employee or in what department is he? I don't recall ever coming across that position ---.

MR. Commissioner: This will be in the report. I cannot tell you off-hand. I can't say whether it is Northern Affairs or Territorial government.

Mr. Chairman: Any further discussion? It has been moved and seconded -- moved by Councillor Thompson and seconded by Councillor Boyd that Bill #8 be reported out of Committee without amendment. Are you ready for the question?

MOTION CAR IED

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Mr. Chairman: Gentlemen, you have already approved Bills #9 and #10 and Bill #11, the Supply Bill. We will go to Bill #12 this time if you so desire. i de servicio de establicación. Se os operations su establicación

AGREED

BILL #12 Mr. Chairman: This Bill #12 is a bill to Amend The Vital Statistics Ordinance. (Reads Bill #12)

Mr. Chairman: That concludes the reading of the Bill, gentle-men.

Mr. Shaw: Am I to understand, Mr. Chairman, that in the first instance you must have an annullment and in the second instance you cannot have a copy of it?

Mr. Legal Advisor: That very simply is the position and consequently people who have had a divorce and wanted to get married were put behind a bit of an eighth ball. This was one of the things they were supposed to produce and could not obtain it. They could, of course, obtain this from the clerk of the proper court. The particular point came up very forcibly in the cases before the Registrar so if there are practical questions arising out of this he is available here to deal with them.

Mr. Shaw: Mr. Chairman, I would like to ask a question—"no certificate, certaified copy or photographic print shall be issued under this Ordinance in respect of the registration of an adoption". I wonder if the clerk could explain why you cannot make a copy of something.

Mr. Clerk: Mr. Chairman, the only thing I can say is that before this Section was changed in its old form it indicated which documents were considered private and which documents not; one of them was the certificate of dissolution. The problem came up when someone came to me under the marriage Ordinance and asked for a certificate of their divorce and I pointed out under the Vital Statistics where I couldn't issue a certificate of divorce and we took another look at the Marriage Ordinance and the Marriage Ordinance told these people to come to me to get it under the Vital Statistics Ordinance. In other words the two ordinances contradicted each other. Now this is here to straighten it out. Now they can get the certificate...

Mr. Shaw: Mr. Chairman, If I adopted a child and got the adoption papers and the proceedings and what not and then later on I went to the Registrar and said "I am sorry but I had a fire and all this material burned up and I wish to get a copy of the document so I would know where I am situated". It would appear that we are still making an ordincance that would not permit me to get a copy. It does not state that "to the public", it just states no copy.

Mr. Clerk: This is quite true, Mr. Chairman, you cannot get a copy of the adoption papers from me. The only thing you could get is a birth certificate stating the facts after the adoption has been made. If you wish a copy of the adoption paper or any other adoption papers you would have to get that from the court. You would not get it from the Vital Statistics Department. I might say this is the same in every province in Canada.

Mr. Shaw: Mr. Chairman, I still don't see. If the adoption deal went through a court order or something like that but someone looking at this would really be stumped. This is referring more or less to what the public can come and find

(Mr. Shaw continues) out. Is that correct?

BILL /12

Mr. Clerk: Yes, it is, Mr. Chairman, it is also referring to what the people themselves can come and find out. For instance the children cannot come to me and find out whether they are adopted. They are not even entitled to that information. It is quite private. If anybody did come to me to get adoption papers I would tell them they could get them from the court.

Mr. Shaw: They could get them by going to court at their own expense. They would not be completely stumped?

Mr. Boyd: Mr. Shaw has quite a valid point insofar as something being burned down and is destroyed. The record would show that that adoption did take place and they could get a duplicate by going to court. This is quite an effort to be put through. Let us assume that there is not too much money available for this kind of thing.

(Mr. Southam takes the Chair)

Mr. Taylor: Mr. Chairman, in this matter I would certainly agree with Mr. Clerk that the matter of adoptions is pretty highly secret proposition and this is good. It is done in other parts of Canada for very good reasons. It is to make unavailable to people such as the children themselves and other persons this information. This is held in trust by the Vital Statistics department and court, and I could not agree that these documents should be placed anywhere else but the court. I would like to think that the Registrar of Vital Statistics holds these in trust for the court, and to turn them over to nobody but the court. I think if the papers themselves are held to be in the nature of great importance should be stored where they will not be burned or destroyed such as the safety deposit box or safe or some other place. I could not agree that copies of adoption records should be made available to anybody.

Mr. Shaw: I would direct this question to the Legal Advisor, Mr. Chairman. Whether this would be an infringement on anybody's personal—I would not say secrets should be — well at one time they were secret matters whether persons got divorced or married but now they don't find that necessary. If this read something like this: "No certificate, certified copy or photographic print shall be issued under this Ordinance in respect of the registration of an adoption, except the actual persons who it is proved were the original adoptees or whatever you might call it. If one lost the documents one would not want to hire a lawyer and go to court and the resultant problems you would have with it, and it would still keep it from prying eyes, which is a very sensible thing to do and with which I agree very much.

Mr. Legal Advisor: Mr. Chairman, the point that has been made about the adoption is one on which I would have to ask for more time to consider. There does seem to be a difficulty that if you take this amendment at face value today, and you will find, as I trust that you will find, that it is an improvement over what we have now. It may not be a complete answer yet but it is an improvement over the provision we have at the present time. There may be room for further

BILL 12 (Mr. Legal Advisor continues) improvement. This is one of the pieces of legislation worded out by the Commissioners on Uniformity of Legislation. In the Vital Statistics Ordinances we follow as closely as possible the provisions in different provinces. You will see that this is a reasonable ambition. We changed the fees last year so that the fee basis is the same across Canada, and I would not like to be drawn into hasty preparation of an amendment without looking at it in the broader view. I would like the opportunity if I may of further considering the point in the light of discussions now and with your permission, if it is decided that the point is valid, to bring it back to you in the spring but not to delay the present improvement. There is actually no provision in the ordinance for giving a copy to the adopting parents of the adoption order. What it does provide is two certified copies of the adoption order which shall be sent to the Registrar of Vital Statistics. That is in Subsection 6 of 8. Council will remember requesting that the Legal Advisor handle adoption proceedings when requested to do so and since then I have

Mr. Boyd: Mr. Chairman, let us assume that we take the suggestion offered just now and we found that seven out of ten provinces decided that this wording was not very good. I wonder if the Legal Advisor can tell us if this wording as it is written here is already now in effect clear across Canada and we are the last ones to get this bill?

taken, I would say, half a dozen or so and had no trouble on this question. I have to look at it in terms of practical effect and also in terms of legislative effect. For that reason I would like the matter deferred and I would try to bring the matter more clearly before you in the spring.

Mr. Legal Advisor: Mr. Chairman, I can't. This is one of the reasons I would like to look at it. This draft was settled by the Department of Justice. That is why I don't have detailed notes on that part of the legislation. If I was doing it myself I would have my own notes.

Mr. Clerk: Mr. Chairman, every spring I attend a council of Registrars of Canada called Vital Statistics Council for Canada. We have what is called the Model Act which all provinces of C nada are striving to follow. I do know this is rather than being one of the last amendments to be made along these lines I would say is first. All other provinces have a Vital Statistics Act which reads the same as it did before in ours. And, if this is passed by this Council it will be presented to the Vital Statistics Council and I will ask all the other Registrars for their opinions on it, and no doubt we will get various opinions. It would not be discussed as Council and that is precisely what it is for.

MR. Chairman: Any further discussion, gentlemen?

Mr. Boyd: Maybe I am a little stubborn as I am told I am but I don't like the wording of that #9. It seems to have sort of stopped in the air and there are no ifs, buts or ands exceptions or anything. It is merely point blank "there shall not be". I appreciate the secrecy and all that but there is a time that comes when one of these certificates is necessary to let somebody know who they were and so on. I know this has happened, and if you can't get it it seems to be the end. I don't think this is quite proper.

(Mr. Boyd continues)
There should be some provision for people that need to have this information that it should be made available to them.

Mr. Chairman: Gentlemen, what is your pleasure in relation to this bill?

Mr. Shaw: Mr. Chairman, I think the bill is fine but I just think there should be something—a little latitude that those who of necessity need it would get it. Not someone just being nosy but people who need it should be able to get it without having to have a court sit. Giving this to anyone who had already received one would not be contrary to any secrecy act or anything like that. While we are doing, as our worthy Registrar General has stated, this, and since it is to be presented to the Uniformity of Registrars or what ever they call themselves, surely something like this sounds sensible and just at the same time.

Mr. Legal Advisor: Could I ask that this be set over until morning so that I could prepare something like that "except by order of a judge" or something along those lines, and that the $R_{\rm e}$ gistrar would recognize. This would possibly alleviate the fears of the Council.

Mr. Clerk: Mr. Chairman, I just wanted to say something in relation to what Mr. Shaw said. He mentioned that court would have to sit before this certificate could be obtained. This is not right. These are on file in the office of the Clerk of the Court and rather than get them from me they go to the Clerk of the Court to get them, and it is a very simple operation. It would not cost any lawyer's fees or anything like that. You just go to the court and it might cost twenty five cents or something like that.

Mr. Shaw: Mr. Chairman, what I just cannot understand is it says "no certificate can be given" now does it mean the court or anybody else?

Mr. Clerk: Under this ordinance.

Mr. Commissioner: I could ask Mr. Legal Advisor to clarify this point for Councillor Shaw, but as I would read this, this only applies to things done under this ordinance. Is this not correct?

Mr. Clerk: Yes, that is correct.

Mr. Commissioner: What the court does it is in another realm entirely.

Mr. Chairman: Gentlemen, anything further?

Mr. Boyd: Mr. Chairman, we are assuming something all seven or eight of us. We are going to assume something but it is not written here. This is the point that is sticking me.

Mr. Legal Advisor: Mr. Chairman, Mr. Commissioner, I had made the point earlier that I had taken several adoption cases and found no practical difficulty in obtaining an order and that is why I volunteer to go back and re-examine the practical aspect and see whether a difficulty was created. If you want to make doubly sure that the hands of the Registrar are not tied completely I would draft a saving provision

BILL ,12

BILL #12 (Mr. Legal Advisor continues)
in here "except by order of a judge"or something along those
lines. The question of secrecy under the Vital Statistics
Ordinance is one that echos the philosophy relating to illegitimacy, adoption, divorce and so on. If you feel that that
veil should be lifted from time to time then perhaps you would

itimacy, adoption, divorce and so on. If you feel that that veil should be lifted from time to time then perhaps you would like to leave the discretion for lifting the veil in the hands of a judge. That would be the tie breaker.

Mr. Southam: Mr. Chairman, as near as I can see this only concerns the Registrar General's office and I am of the opinion that any papers to do with adoption should come from a court order, and a court order alone, not from everybody and anybody. I don't think that the parents of the adopted children or the foster parents would want it, personally, and I don't think it is that big an operation to get it from the court. I don't think it costs any money of any import. The only difference that it may be a little harder than just to walk into an office and ask for it. I see really nothing wrong with this thing.

Mr. Shaw: I think we should leave it to the Legal Advisor to get something in there. I feel this way, that the average person looking at something like that would feel that they are just out of luck in getting any papers. It says "no copies can be made" and they probably think they could not get one. I am quite content to leave it with the Legal Advisor.

Mr. Legal Advisor: Mr. Chairman, There seems to be a misunderstanding. It is no certificate shall be issued in respect to a registration of a document." It is not speaking of an adoption order. The adoption order does not seem to give much trouble when you go to obtain it but the Vital Statistics which the Registrar maintains are generally speaking a closed book, that is to the public. But the order can be found with the court. That is why I say this does not seem to me to be a practical difficulty. But I will put in whatever is necessary to comfort you on this point.

Mr. Shaw: This is becoming more confusing all the time. I would like to ask the Legal Advisor a question. If I have adopted a child and I need a copy of these papers. Can I go to the Registrar and say "I have found myself as the legal guardian" or what have you "of this child. Can you get me a copy of these papers because I have lost them." Does he give me a copy or does he say "no, you have to go to the Court to get them"?

Mr. Legal Advisor: I think the Registrar would have to direct you to the court.

Mr; Boyd: In the first place in case of an adoption you do not get a copy of the registration?

Mr. Legal Advisor: A copy of the court order? Yes, I have never found any difficulty and I don't think it is because of my official position.

Mr. Boyd: That was not my question. Let us assume I adopted a child and the papers go through do I get a receipt to show that child is adopted by me at that time this thing took place?

Mr. Clerk: Mr. Chairman, if Mr. Boyd adopted a child he cannot get anything from me that would in any way indicate that the child is adopted. He may get a birth certificate showing him and his wife as the parents of this child but I may not issue him anything that indicates the adoption. If he wants to get a court order he may get a copy of the court adoption order but nothing from my department.

BILL #12

Mr. Boyd: I just read it or heard it on the air where some child to use names had been adopted by myself and many many years later some relative, not by adoption, a relative by original marriage, left a fortune for that child. Now, it so happened that I am long dead and gone and the child never did know what her real name was when she was born. How could she ever know enough in the first place to go after this money, so surely there must be--.

Mr. Legal Advisor: Mr. Chairman, I am quite confident she would need a very competent lawyer.

Mr. Commissioner: May I be excused, Mr. Chairman.

Mr. Chairman: Yes, I will declare a short recess.

Council recesses.

Mr. Chairman: I will call the committee back to order at this time. We were discussing Bill #12. What is your pleasure in respect to this Bill?

Mr. Southam: I would move that this Bill be passed out of committee as written.

Mr. MacKinnon: I second the motion.

Mr. Chairman: It has been moved by Councillor Southam and seconded by Councillor MacKinnon that Bill #12 be moved out of committee without amendment. Are you ready for the question? Are you agreed? Any contrary? The motion is

MOTION CARRIED

MOTION CARRIED

Mr. Chairman: We have Bill #11, the Supply Bill which I don't believe you would wish to go into at this time. What is your further pleasure?

Mr. Thompson: I would suggest that Mr. Speaker do now resume the chair and hear the report of the chairman of committees.

Mr. Chairman: Is that a motion?

Mr. Southam: I second the motion.

Mr. MacKinnon: Mr. Chairman, I would just like to advise Mr. Clerk that I don't have a copy of Bill #11.

Mr. Chairman: Mr. Clerk would you see that Councillor Mac-Kinnon is given a copy of Bill #11. We have a motion, moved by Councillor Thompson and seconded by Councillor Southam that the 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? The motion is carried and Mr. Speaker will now resume the chair.

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 10:15 a.m. to discuss Bills, memoranda, sessional papers, and motions. Mr. Commissioner was in attendance. It was moved by Councillor Boyd and seconded by Councillor Southam that Bill #1 be reported out of committee without amendment. The motion was carried. It was moved by Councillor Shaw and seconded by Councillor Southam that Bill's #2 and #3 be referred back to the administration for amendment. The motion was carried. Committee recessed at twelve noon and reconvened at 2:00 p.m. It was moved by Councillor Boyd and seconded by Councillor Southam that Bill #5 be reported out of committee without amendment. The motion was carried, with Councillor MacKinnon COMMITTEES opposed. It was moved by Councillor Watt and seconded by Councillor MacKinnon that Bill #6 be reported out of committee without amendment. The motion was carried. It was moved by Councillor Shaw and seconded by Conncillor MacKinnon that Bill #7 be reported out of committee without amendment. The motion was carried. It was moved by Councillor Thompson and seconded by Councillor Boyd that Bill #8 be reported out of committee without amendment. The motion was carried. It was moved by Councillor Southam and seconded by Councillor MacKinnon that Bill #12 be reported out of committee without amendment. The motion was 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. Motion carried.

CHAIRMAN OF

Mr. Speaker: Thank you Mr. Chairman. Gentlemen, you have heard the report. Are you agreed? Are there any corrections? The report is accepted. What is your pleasure at this time?

Mr. Taylor: I think we have something on the agenda for Tuesday which concerns a discussion on the Municipal Ordinance. Following that I suggest we continue with bills, sessional papers, and memorarda.

Mr. Speaker: Gentlemen, you have bills, memoranda, and sessional papers and motions for tomorrow. We have a meeting at 10:30 a.m. with the Commissioner, the Superintendent of Education and the Territorial Engineer in relation to Lot 19. Are these gentlemen going to be here Mr. Clerk?

Mr. Clerk: Yes Mr. Speaker.

Mr. Speaker: Thank you Mr. Clerk. Anything further?

Mr. Taylor: I wonder if this might be the appropriate time. I am wondering if you may be able to determine from the administration as to whether we will be making a tour of the Corrections Institute and the Mobile Institution.

Mr. Speaker: Is it agreed that I ascertain this information.

Agreed.

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Mr. Speaker: As a suggestion, would it be agreeable if we set this up for 1:00 on a certain day?

Mr. Taylor: I think it would be a very good idea. We will be approaching the Supply Bill and it would convenience this if possibly we had visited the institution before.

Mr. Spraker: In there anything further?

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

Mr. Boyd: I second the motion.

Mr. Speaker: It has been moved by Councillor MacKinnon and seconded by Councillor Boyd that we call it five o'clock. Are you ready for the question? Are you agreed with the motion? Any contrary? The motion is carried and this Council stands adjourned until 10:00 a.m. tomorrow morning.

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Tuesday, November 15, 1966.
10:00 a.m.

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

Mr. Speaker: Have we a quorum, Mr. Clerk?

Mr. Clerk: There is, Mr. Speaker.

Mr. Speaker: Do we have any correspondence this morning?

Mr. Clerk: We don't have any this morning, Mr. Speaker.

Mr. Speaker: Thank you. Have we any Reports of Committees?

Mr. Taylor: Mr. Speaker, in this connection I wonder if we may have some indication as to when the Financial Advisory Committee may have their report ready for review in view of the fact that the Budget will be down very shortly.

QUESTION RE FINANCIAL ADVISORY REPORT

Mr. Thompson: Yes, Mr. Speaker, we have considered this possibility of a report but, if you will remember when the Financial Advisory Committee brought in a report at the last Session, there was no notice taken of any of the recommendations or any of the suggestions and the Council went through the Budget in the usual detailed manner and for this reason we have...or I have...postponed bringing any report to the table because I felt it would just be superfluous. I speak for myself. I haven't contacted the other Members of the Committee but inasmuch as it is my responsibility to make the report or present the report, I have held off until such time as I see just exactly what the feeling of Council is and if it is the same as heretofore, I don't see any point in any report whatsoever.

Mr. Speaker: Thank you, Mr. Thompson. It is a Committee of the House. I can quite agree with Councillor Thompson's sentiments in the matter but we will still need to have some form of a report to indicate that the Committee has completed its duties some time in the near future as possible. If you could attend to that Councillor Thompson. Have we any Notices of Motion and Resolution?

Mr. Taylor: Mr. Speaker, I beg leave to give Notice of Motion this morning respecting Twenty-Four Hour Broadcasting.

NOTICE OF MOTION #3

Mr. Speaker: Have we any further Notices of Motion? If not, we will proceed to the next business on hand which is Notices of Motion for the Production of Papers. Have we any Notices of Motion for the Production of Papers?

Mr. Watt: Yes, Mr. Speaker, I have Notice of Motion for the Production of Paper re Regulations for the Whitehorse Metropolitan Area.

Mr. Speaker: Thank you. We have no Motions for the Production of Papers. We have before us Motion No. 2, Mr. MacKinnon.

NOTICE OF MOTION FOR PRODUCTION OF PAPER #1 MOTION #2 Mr. MacKinnon: Yes, Mr. Speaker, Motion No. 2, re Central Utility and Shower Baths - Indian Villages, moved by myself and seconded by Mr. Watt, It is respectfully requested that the Administration negotiate with the Department of Indian Affairs, the necessity of entablishing utility and shower baths in all Indian Villages throughout the Yukon Territory. May I proceed, Mr. Speaker?

Mr. Speaker: Proceed, Mr. MacKinnon.

Mr. Mackinnon: Well, gentlemen, as you are all aware, we had some discussion yesterday and I feel that it concerns exactly the same thing in principle. It had to do with the enforcement of an Ordinance in regard of school children, and as Mr. Southam had pointed out, some of our school children are not considered presentable, therefore, it is a throwback on the advancement that these children are permitted to make. They are down, I would say, in a society of their own because they are not accepted by other students. I do feel that if we had proper utilities in native villages where those people could wash their clothes and take a shower when it is necessary, there would be great advancement. I feel that it is our duty to try and establish something like this for the native villages. I feel it is much better than giving handouts where they can go to the beer parlour and waste it, but this would be something that they could be quite proud of in the future, and I think it is the duty of this Council to give their support and encourage the Department of Indian Affairs to establish this type of thing.

Mr. Watt: Mr. Speaker, as seconder of the Motion I think the Motion itself would certainly bring to the attention of the Minister of Northern Affairs...and he is also the head of the Indian Department...it would bring to his attention the conditions under which some of the native people of the Yukon live. He has made a visit to the Indian Reserve here once, if I remember. He made a visit to them. That was just before an Election. In this Council we have brought things to the attention of the Indian Department, through the Council, and through a Motion, that has had some effect on the Department of Indian Affairs. One was the establishment of wells. Something was done about that but it took a little bit of pushing and pulling from our part to even bring it to their attention so that they finally realized that something should be done. I think the same situation is true here where something could be served - a room or a cabin, something like they have in many mining camps with a lot less population than you have in a place like the Reserve. It's a farily simple device - a room where you have not and cold running water. I would hate to see...if this Motion is defeated, then it would suggest that everything is fine on all the Reserves. We need no improvement on sanitation there. I would like to see the Administration act on this Motion, talk to the Indian Affairs on it, and possibly try I would like to see the Administration act on this it in one locality throughout the Yukon, some place. Pick one as a trial and if, in a couple of months, it is working adequately, install them in as many places as they possibly can. It would be more or less...something like you have a utility trailer in a mining camp....where you have a washing machine where you can wash your clothes....and have a little bit of hot and cold running water. I think that the Motion deserves merit and it should be passed through Council and it will bring to the attention of the Department of Indian Affairs the really deplorable conditions under which some of the native people live here.

Well, Mr. Speaker, in this respect I whole-Mr. Taylor: heartedly agree that something should be done to assist these native people and, as I spoke yesterday on the School Ordinance, the question of what we needed was social education and not handouts, but here again is another handout. Although I can agree with the Honourable Member in part, I think back on the freezer...provision of freezer program... and some of the other things, homes, and so forth, and other things that have been provided in villages.... I have seen a great deal of work done this summer in Indian villages, with power, roads, new homes being given to these people, and though it is good in one sense, it does not fulfill the requirement, I feel, the big requirement and that is the requirement of social education. People have been able to wash their clothes and bath themselves for many years, and I would like to think that it would be better for these people to work towards buying washing machines on their own and providing themselves with these facilities. I know that the maintenance of these proposed facilities in the winter time would be pretty rough because when they freeze up, the pipes all split and everything goes asunder and you've got to buy another unit all over again and this presents quite a problem and will. I would not suggest that all is fine indeed, but I do suggest that we should proceed with some caution in this regard. Obviously the Indian Affairs people have refused this or else it probably wouldn't be here on this table. Before I voted in favour of this Motion, I would like to know why they refused it. Those are my thoughts on it in any event and the Member, when he rises and closes the debate, when he does get around to making his reply, I would like to know why the Indian Affairs Department refused this.

Mr. Watt: A question has been asked, Mr. Speaker. Could I answer it?

Mr. Speaker: I don't know who the question is referred to.

Mr. Watt: I think it referred to a statement that I had made.....

Mr. Taylor: Order, Mr. Speaker.

Mr. Watt: ...with regard to Indian Affairs. I think it is allowable under our rules to clarify a statement that has been previously made.

Mr. Speaker: Perhaps to clarify this matter I will ask Councillor Taylor who did you direct the question to?

Mr. Taylor: As my remarks denoted, the Member when he rises to close the debate.

Mr. Speaker: Councillor Southam.

Mr. Southam: Mr. Speaker, while I partially agree with the Motion, I also think that if it is possible at all that these people should be trained in more self reliance and to support themselves and so on, but I don't think that you are going to get the older people to do this. This is something that is going to come with the next generation or two. You are not

MOTION #2

MOTION #2 Mr. Southam continues:

going to get it in a hurry. While I agree that they should have these things, and I think it is strictly a matter of the Department of Indian Affairs, and while we can maybe pred them in this direction, but we still have to educate these people to look after these things themselves. Now, this almost seems to be...it shouldn't be an impossibility...it could come in time but it won't come with this generation I don't think. However, I do think it is a step in the right direction, and while I am still not in favour of putting these in for them if there was some way or another that we could get these people to take hold and work for themselves, then I think we are doing something.

Mr. Boyd: Mr. Speaker, I appreciate the point, but it seems to be another attempt to, oh, use the same thinking as we did when we put them on Reserves. Now we are going to give them a...roughly speaking...body of water and say, "Flock in, like ducks". I don't see this is going to work either, especially in the winter time when they have to walk from wherever it may be to one of these places to take a shower. They just won't do it ... I don't think. Besides this, I don't think this is the way that they should be encouraged. After all, they have a home to keep and the running of that home is important for the welfare and for the bringing up of the children and it should be in the home where they learn to care and tend for themselves. I think that if this was emphasized by the proper people, including school teachers and those who are in charge of them, this could be brought about. After all, the person who is careful, willing to keep clean, he will do it in his home. If he isn't of this type, he is not going to go to a shower in my opinion unless somebody pushes him there. I appreciate the point, as I say, but to me it is not the answer. I would like to see a Motion all right encouraging cleanliness and a ways and means of doing it, but I don't think this is the right means so, therefore, I would be careful about voting for this Motion.

Mr. MacKinnon: Mr. Chairman, I will have to say that I have heard some ridiculous arguments, especially from Mr. Boyd. He is suggesting some other means of cleanliness. Is he suggesting that we should have sewer and water throughout all the Indian Villages? This is exactly what I feel he is stabbing at. Now, this would be detrimental to the Government and the taxpayer because these people easily get mislead and their homes would continually freeze up and it would be nothing but a problem, I am sure, to the Engineering Department. Mr. Taylor had queried about the feeling of the Indian Department. I am certain that the Indian Department feel that this is the answer - utilities and shower rooms to be established in the Villages instead of a main sewer and water line being carried out through the Territory in all these Villages. I am not suggesting or asking to have this for nothing. I suggest that the utility rooms be established with coin operated washing machines. The showers could be free and they could come under the supervision of the Indian Department. We cannot say that it is only a responsibility of the Indian Department because the Minister of Northern Affairs is also the Minister of Indian Affairs so I believe that it is proper to bring it to his attention and I hope for the support of Council on this Motion.

MOTION #2 CARRIED

MOTION CARRIED

The Motion was carried with Councillors Taylor and Boyd contrary.

Mr. Speaker: Next, we have a question here that has not had an answer. I presume that we have no answer as yet, Mr. Clerk.

Mr. Clerk: No. Mr. Speaker.

Mr. Speaker: We next refer to Public Bills and Orders. We have Bill Nos. 1, 5, 6, 7, 8 and 12 for third reading.

Mr. Taylor: Is there going to be a question period this morning, Mr. Speaker?

Mr. Speaker: I haven't made any arrangements for that, Councillor Taylor, for the simple reason that the questions seem to be coming back and forth every day and there seems to be no necessity at this time for any question period so I didn't make any arrangements. We have Mr. Commissioner with us this morning and perhaps he would care to join us and....

 ${\tt Mr.}$ Commissioner and ${\tt Mr.}$ Legal Advisor enter the Council Chambers.

Mr. Speaker: Mr. Commissioner, the habit, or I should say the practice has been that on Friday morning...oh, I see. I beg your pardon. I am a little bit out this morning. Questions. Yes, we have the normal question period. Pardon me. Proceed, Councillor Taylor.

Mr. Taylor: Thank you, Mr. Speaker. I have three questions to submit this morning, Mr. Speaker, to which I would request a written reply. One is "(1) What assistance is presently available to parents who send their children outside for University training, and (2) What assistance is available to the students themselves?". The next question would be "What progress has been made over the past two years in relation to Council's desire to have J.P. Court held elsewhere than in Police Barracks in outlying settlements in the Yukon Territory?". My third question would be "Upon what date did the basic minimum wage provision, as provided for at the First Session 1966, become effective?".

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

Mr. Watt: Mr. Speaker, I have one question I would like to direct to the Registrar of Motor Vehicles, and that is the position of these skidoos in respect to towing. skiers, toboggans...behind them, and if the Council thinks that it ought to be allowed if it is not already allowed. Possibly we could have some legislation amended. I would first of all like to ask Mr. Clerk what is the position of towing skiers and toboggans behind skidoos?

QUESTION RE TOWING BEHIND SKIDOOS

QUESTIONS

#2

#3

#4

Mr. Clerk: Mr. Speaker, as far as I know, the position is the same as it is with any automobile. It is not allowed on the highways in the Territory. It would apply to skidoos equally I am sure. No toboggan, or no skier, or no sleigher is allowed to be towed behind an automobile on the roads.

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

QUESTION RE TOWING BEHIND SKIDOOS

Mr. Watt: Yes, partly, but if a skidoo or vehicle was registered under the Motor Vehicles Act, there would be nothing to disallow it from towing skiers or toboggans off the right-of-way or off the highway as defined by the Motor Vehicles Ordinance. Is that right?

Mr. Clerk: Yes. Mr. Speaker that is right. The licence wouldn't have anything to do with what he could do when he was off the roadc.

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

Mr. Watt: Yes, that is satisfactory, Mr. Speaker.

Mr. Speaker: Mr. Taylor, would you please take the Chair for a moment. I have a question to submit myself this morning.

Mr. Taylor takes the Speaker's Chair.

QUESTION #5

Mr. Shaw: Mr. Speaker, I have a written question to which I would like a written answer. "What progress has been made in respect to instituting a co-operative system at Old Crow introduced by myself about two years ago?"

Mr. Speaker: Thank you, Mr. Shaw. Would you kindly submit same to Mr. Clerk.

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Mr. Shaw resumes the Chair.

Mr. Speaker: Have we any further questions?

QUESTION RE LABOUR LEGISLA-TION

Mr. Watt: Mr. Speaker, I have one more question. Last Session we had some Labour Legislation presented to us which we sent back to the Administration with the proviso that we would be presented with it early in this Session. I was wondering if this Legislation is prepared and, if so, if we could obtain copies as soon as possible so that we could possibly inquire among the people that are interested to see how certain parts of it would affect their businesses so that we would have a little time to consider this before we have to vote on it in Council.

Mr. Commissioner: Mr. Speaker, I will see that this question is answered and I will table the answer.

Mr. Speaker: Gentlemen, have we any further questions?

QUESTION RE DRAFT OF WORK-

Mr. Boyd: Mr. Speaker, the same question is applicable concerning the Workmen's Compensation Ordinance. We have a letter dated October 21st saying that "It would be appreci-MEN'S COM- ated if Council could come prepared at this Session to PENSATION discuss the draft of the Workmen's Compensation Ordinance", ORDINANCE and we haven't heard anything about it.

> Mr. Commissioner: Mr. Speaker, I will see that this information is brought here.

QUESTION RE GAME ORDINA NCE

Mr. Taylor: Mr. Speaker, in view of the former questions, I would also ask the question would the Commissioner consider making a reply in respect to the long overdue Game Ordinance which was to be ready for this Session.

Mr. Commissioner: Yes, the Game Ordinance.

Mr. Speaker: Are there any further questions.

Mr. Watt: Mr. Speaker, I would like to direct one question QUESTION to yourself possibly. This morning we had a ruling by your- RE RULES self with respect to Rules of Debate. I think your Ruling OF DEBATE is correct, Mr. Speaker, that the maker of the Motion could speak once and then he can answer any questions. I think our Rules of Debate should also apply to Committee as well as Council. I would like to see this adherred to as much as possible. I think it would shorten up an awful lot of back and forth discussion and repetition. The person that asked for Ruling this morning has probably got more pages in our Votes and Proceedings than any other two people put together. I would like to see, Mr. Speaker, that the Rules are applied in Committee as well as in Council.

Mr. Taylor: What would that question be, Mr. Speaker?

Mr. Speaker: That is not a question and it would be out of order in this particular matter, but possibly the best way of introducing this would be in the form of a Motion to discuss the matter either in Council or in Committee. This has to be something...a change of Rules, of course, is something that has to be changed by the Council on the whole by agreement and that would have to be brought up under some heading but questions.

Mr. Watt: The question was, Mr. Speaker, it's already provided for in the Rules, and the question was something that concerns the conduct of the Council as a Whole in Committee. The question was is Council prepared to apply these Rules to Committee as a Whole as well as Council? That was the question.

Mr. Speaker: Well, I am not aware of it being in the Rules. I will have to check that up before I can give you an answer. I will take notice of that question, Councillor Watt, and give you that answer in the morning. Have we any further questions?

Mr. Boyd: Mr. Speaker, I have one more that I would like to direct to the Commissioner. In the past, we have been endeavouring, as a Council, to find some way whereby people charged with traffic infractions such as going through a stop sign and so on, could pay their fine without having to appear and lose a day or so, at least a half a day, sitting waiting to be heard and, apparently, recently there was a process started up whereby these particular charges could be heard once or twice a week in the evening. This seemed to be functioning very well. Then, all of a sudden, it ceased to operate at all so we are back to the situation now where we were before where you simply sit and wait until the Magistrate gets around to you which might be quite some time. Does Mr. Smith have any comments to make as to why this process was stopped?

Mr. Commissioner: I cannot tell you, Mr. Speaker, off hand, exactly why it was stopped but I will certainly see that you are made aware of what the problems apparently were that brought a stop to this.

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

QUESTION RE
HEARING OF
TRAFFIC
INFRACTIONS

Mr. MacKinnon: Mr. Speaker, I would just like to mention that we have had correspondence explaining the reasons.

Mr. Speaker: Have we any further questions? Well, gentlemen, it is now twenty minutes to eleven. We have gentlemen here before Council who were prepared to come before Council at 10:30. Perhaps we could leave these Bills in abeyance until tomorrow and proceed with the business on the Agenda, however, that is Council's decision as to what they wish to do. What is your pleasure?

Moved by Councillor Taylor, seconded by Councillor Boyd, that the Speaker do now leave the Chair and Council resolve itself into Committee of the Whole to discuss Bills, Memoranda and Sessional Papers and what is contained on the Agenda.

MOTTON CARRIED

MOTION CARRIED

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

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

Mr. Chairman: I will now call Committee back to order. It has been relayed to me that Mr. Commissioner has something which he wished to bring to the attention of Committee this morning.

REPLY RE EXTENDED LIQUOR HOURS NEW

Mr. Commissioner: Yes, Mr. Chairman, in answer to the question that was asked by yourself a day or two ago on the subject of possible extended liquor hours on December 31 this year, the Administration would be quite prepared to YEARS EVE give effect to any reasonable request from Council in this regard, Mr. Chairman. We would like your wishes in this matter and we will proceed on that basis. Mr. Chairman, I have one other thing unless there was any question that anyone wished to ask in that regard.

> Mr. Chairman: Speaking from the Chair, I thank you Mr. Commissioner for a reply. A Motion has been prepared and it will be submitted tomorrow morning.

POSSIBLE CHANGES PUBLIC SERVICE ORDINANCE

The perent Mr. Commissioner: I just have one other thing, Mr. Chairman, and this, gentlemen, goes back to Spring Session this year. We have here in Whitehorse now, Mr. W. G. Ritchie, the Deputy Personnel Advisor of our Department in Ottawa. He is here at our request to assist us in identifying some of the difficulties in providing effective Personnel Administration within the terms of the existing Public Service Ordinance and we feel that we have progressed in this task to a point where it is possible to place before you a paper requesting your approval in principle to continue work in revising the present Public Service Ordinance so that we may have advanced notice of ... so that you may have advanced notice of its eventual presentation to you at the Spring Session of Council. Mr. Ritchie is here in Whitehorse and I have asked that he be available for tomorrow morning so that if Council wishes to question him or have him speak with Council with regard to the proposed changes to the Public Service Ordinance that he would be available to do so. Mr. Chairman, if you would advise me of Council's wishes in this regard, I will be glad to inform him need the const te apply to

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Mr. Chairman: Possibly this matter could be attended to at Agenda time this evening and the Member can bring this to CHANGES the attention of Mr. Speaker or the Speaker, when he assumes PUBLIC the Chair, could bring it to the attention of Council.

POSSIBLE CHA NGES SERVICE ORDINANCE

Mr. Shaw: Mr. Chairman, I would suggest that the Chairman make a note of this request and bring the matter up when we set up the agenda this evening for tomorrow morning.

Mr. Commissioner: I will leave you my memo on it, Mr. Chairman.

Mr. Shaw: Just one question, Mr. Chairman. The Commissioner did mention something to the effect about a change in the Public Service Ordinance I believe. Have we a Bill in respect to the Public Service Ordinance so that when this gentleman came we would know what particular changes there might be and what sections will be required.

Mr. Commissioner: Mr. Chairman, we do not have the new or changed Public Service Ordinance available at this time. We have Mr. Ritchie here to assist us in getting the outline of this matter together so that we can take it at that point up to the Legal Advisor and have the necessary legislation drafted. There are certain basic principles that are involved in this and it is these principles which I would appreciate the opportunity of going over in detail with Council with Mr. Ritchie in attendance. I will see that the listing of these principles is made available to Council. I can't promise to have them here for you this afternoon, Mr. Chairman, but I will do my best. If not, they will be available for you first thing in the morning. It is the general principles that would be involved before we start to wrap up the Ordinance that we wish to take up with Council at this time, Mr. Chairman. It is not our intention, Mr. Chairman, to try and present an Ordinance to Council at this Session. It is the principles that we wish to take up.

Is this what in the long run comes out to be the Mr. Boyd: Personnel Department as we know it now, or is it something else?

Mr. Commissioner: Mr. Chairman, the Public Service Ordinance that we have at the present time was written many, many years ago, and while it has been a sufficient document within which to work up until now, it needs a lot of revision in order to take care of the terms and conditions under which we employ people in this day and age. As to whether or not a Personnel Department will be the outcome of this as a separate department of Government, I am not prepared to say, but the Ordinance itself is what needs updating and perfecting to give the Administration scope to deal with personnel problems as they present themselves today.

Mr. Chairman: May we now proceed, gentlemen, with our discussion of Sessional Paper No. 21, having reference to Lot 19. We have with us Mr. Ken Baker, Territorial Engineer, and Mr. H. Thompson, Superintendent of Schools, as well as Mr. Commissioner, to answer any questions which may arise during discussion. Will you proceed, gentlemen?

SESSIONAL PAPER #21

SESSIONAL PAPER #21

Mr. Shaw: I would like to direct a question to Mr. Commissioner in respect to Lot 19. I wonder if he could tell me whether plans have been shelved completely and entirely, irrevocably, as far as putting a school on Lot 19; or perhaps some other area of the piece of property has been designated as a safe place for a school such as something that is close to certain lots in the City of Whitehorse... the possibility of making some kind of trade to attain the section that was safe and suitable for school facilities and, perhaps to go further with this, in view of the Air Force taking off to more distant areas, is there a necessity in the near foreseeable future for further expansion of our school facilities?

Mr. Commissioner: Well, Mr. Chairman, the blame possibly for looking for another school... I may as well admit to it now seeing Mr. Thompson is here and I can't avoid him...is possibly due to the inclusion of grade eight students in along with the high school students in our present high school. There was considerable public disapproval of this particular move which Mr. Thompson found was very necessary in order to bring certain curriculum attainments about, and I believe that you will remember at the time that there was a Committee of Council set up to look into this situation. I don't remember who all the Members were but I do believe that Councillor Boyd was one of your appointees looking into this particular problem. The outcome of it was a recommendation that there be a junior secondary school established and the opinion at that time was passed that if this school was to be established, possibly a portion of Lot 19 could be made available for this purpose. Further things that have transpired with regard to it....from an engineering and architectural point of view ... I will ask Mr. Thompson and Mr. Baker to appraise Council of these particular things, but as it stands right at the present time, gentlemen, Lot 19 and the disposition of it or what it is to be used for is in the hands of the Territorial Government. At the Spring Session of Council, you saw fit to approve the necessary monies for the purchase of this property from its owner and in conjunction with the pressing problem of just what we do to put the land to use...to the best possible use....after we have heard from Mr. Baker concerning the engineering problems and Mr. Thompson concerning the architectural problems, I am hopeful that I will have a presentation here for Council that will outline my thinking with regard to what we can do to Lot 19 to put it to the best possible use. Mr. Chairman, would I have your permission to ask Mr. Baker to outline the engineering technical aspects of what was found in connection with the property o Lot 19 as it applies to the use of some of this ground?

Mr. Chairman: Mr. Baker, do you have something to say?

Mr. Baker: Yes, Mr. Chairman, when the proposition of a new school came up, we invited a firm of architects to come up here and look at three proposed sites in Whitehorse to determine which site would be the best. One site was located in Camp Takhini, one was Lot 19 and the other was in Riverdale. These people submitted a report to us and it was their opinion that the school should be located in Riverdale because there was adequate space available. In this particular location, there happens to be some twenty-three acres which could be

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Mr. Baker continues: used for a school site. In Lot 19, it was determined that something in the order of nine acres only was available. The minimum requirement, of course, for a school of this type and size happens to be eleven acres. The site of Camp Takhini turned out not to be suitable at all because it was just too small and away from the center of population. other point that has to be raised in this regard is that Lot 19 is still subject to mud slides from the escarpment and this problem concerns me a little bit. I don't think that any development should be undertaken there until the drainage problem from the Airport itself is corrected and I don't think this mud slide problem can be curtailed or reduced too much until this Airport drainage problem is solved. That's all I have to offer at this time.

Mr. Southam takes the Chair.

In this respect, I can recall that all Councillors Mr. Taylor: went down and looked over this site with the idea of building a school there. This was the basis on which Council was sold the proposition of buying the land finally. I note that in Sessional Paper 21 that it is pointed out here, as Mr. Engineer has just pointed out, in his opinion until this mud slide has been stabilized, he doesn't feel that any construction should be undertaken there and, also, it is also mentioned about this earthquake possibility where the hill may fall or again may slide. In our discussions the other day, it was pointed out that in this document somewhere, it states that when the Lots are sold...and it's between \$2,000 to \$3,000 a lot down there which is a pretty healthy price to pay for a lot in this location...that the person must agree to sign a paper saying that if there is an earthquake, no assistance is forthcoming from the Government and he builds at his own risk sort of thing, and if he lives in a high risk area, I think the Government should be a little more considerate about the price he has to pay to populate that land and to become a taxpayer. This, of course, will be in the City and they, of course, will have something to say here. Now, as a suggestion out, we have across the road a large ball diamond area...I am just too sure about what is involved across there...but there is another area across the trail that could be looked There is apparently a swimming pool over there which I believe the Lions! Club of this good City provided for the City and I think it's under the control of the City at the present time. I think a suggestion has been put forward by the Lions' Club that they may even try to consider a ways and means of boxing it in, of putting a roof on it, so it can be used year round. It seems to me that in consideration of a school, it may be possible that we could build a school adjacent to this and include it so that it could be used year round, of course, on the agreement that it would be available for public use whenever possible. This could be...I'm not saying it should be ... but it could be investigated, and then the ball diamond could be moved across the street, some sort of an arrangement could be made with the City of Whitehorse in respect of this and thereby your good construction is away from what we consider to be the unsafe area. Lot 19 could still be utilized for a ball diamond and for recreational purposes. I might be right out of reason here. I don't know but I think and it seems to me that such a proposal should receive some consideration and discussion.

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Mr. Taylor resumes the Chair.

Mr. Watt: Mr. Chairman, I would just like to ask...I think the Administration has done quite a bit of work and research on this as well as Mr. Taylor...I would like to hear if they have any plans finalized on this.

Mr. Commissioner: Mr. Chairman, I have nothing finalized at all but I do have some suggestions that I would like to hear Council's thoughts on. The Clerk has just advised me that they should be here in a few minutes. They are in sufficient copies that all Councillors can have a look at them. They are not in any way, shape or form finalized. They are subject to Council's looking at them and then at that point they are subject to engineering problems and legal problems.

Mr. Shaw: Mr. Chairman, I did raise a question and I haven't received an answer as yet in relation to the imminent flying off of the Air Force in this area. All I know about the Air Force leaving here is by nature of what I read in the papers. As a representative of the people of the Yukon Territory, I have never had any official communication that I am aware of so it could be possible that this is just a rumour circulating in the Press. However, when we gather these rumours together, we hear that there are 200 personnel involved, family men, so you multiply two by their wives..if they are married men, they usually have their wives with them...so that makes 400. We can also assume also, perhaps, that they have one child each, so that makes 600. Then we can assume...or I heard according to the air...I think they have 65 employees besides this personnel so you use the same formula there and you come up to about 1500 or 1700 people. Now, as I have stated, Mr. Chairman, this is purely what I read in the papers or what I hear someone talk about. There has been no official notification to myself to know exactly what this implies...how many people it will involve and so on. That was what raised my question...previous question.. is that if this is going to take place and if there is going to be a displacement of 1500 people or thereabouts from this area that would not be replaced, unless this habit continues of some how or other filling up any vacant space that might be around on behalf of the Government which I hope will be curtailed at some time within the very near future, unless we have complete bankruptcy. What effect will this have.. this migration from here of 1500 people? Will that necessitate building new schools in this particular area as was contemplated, and probably with very good reason, a year ago?

Mr. Chairman: At this point, gentlemen, I will call a very short recess.

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Mr. Southam: Gentlemen, I will call the committee back to order. We were discussing Lot 19. Any further discussion?

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Mr. Commissioner: Could I call on Harry Thompson to supply PAPER #21 what basic information he can in regard to population anti-cipation and also Mr. Thompson has further information to introduce to Council concerning the overall school plan as far as senior and juitor secondary schooling in the area is concerned.

Mr. Thompson: Well now Mr. Chairman, I want first of all to ask you to excuse my hoarse throat. With regard to the R.C.A.F. leaving Whitehorse as far as the junior secondary school enrolment is concerned their departure will effect this involvement very little. Actually there are only 35 students who are R.C.A.F. dependents attending the F.H. Collins School. This is 35 out of 594 students. As you know, New Imperial Mines will be in production next Spring and last September I was talking with the manager of this operation and at that time he had 30 men on his payroll and he anticipated that when the mine went into production the company would have 135 men on the payroll. So, it is my feeling that any decrease created by the departure of the R.C.A.F. certainly in respect to junior secondary schooling is concerned will be be made up by the going into production of this fairly large mining operation. Now with regard to the junior-senior, proposed senior secondary school, and where it should go I want to say first of all that I have an open mind on this matter and in fact I think I was one of the first people to suggest possibly of lot 19 as a site and before me, the Committée on Education in 1960 made a similar suggestion. However, after Council approved in principle that the Administration could go ahead with the preliminary planning of the proposed senior secondary school we had a further meeting on this matter and certain problems were brought out by the Territorial Engineer and other members of the administration regarding this thing. So it was decided that the architectural firm which had been doing work for the Territorial government should come in and make a study and not just of this site but of other sites in the Whitehorse area and Mr. Baker has mentioned to you briefly of the three sites that they looked at. Now in making this study they considered a number of factors; one, the area available both for present construction and for further expansion. Now I think we should bear this in mind because we are not building this school and approving of this thing just for 1968. This school will be here for many many years. can recall Mr. Hulland, my predecessor, saying that in 1951 when they started construction on the Whitehorse Elementary School people said why in the devil are you building this school way out in the sticks. Well in 1955-56 people were saying to me why did they build this school right in the middle of traffic. So we have to think ahead. So the architects look at the land available for present construction and future expansion. They looked at the sites with regard to location, in regard to population, in relation to playground areas available, with relation to other school facilities that duplication should not take place if this could be possibly be avoided, and with the view of using staff between the two schools where possible. They looked at it with relation to existing pupil residences and with regard to proposed pupil residences. They looked at the sites with regard to the type of ground, would the ground require a great deal of work to be done in regard to drainage and fill or is it relatively free of these problems and they looked at it in regard to water and service facilities. The three sites that they looked at as Mr. Baker has mentioned was Lot 19, the area near the Takhini School just northwest of the Takhini School

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Mr. Thompson continues..... and the area in Riverdale between the Collins School and the Yukon River. Now, Lot 19 they found was good from the point SESSIONAL of view on location with regard to population and it was central. This could also create problems and the population as it grows away from the center of town, you might end up with a school in the business section. However, the architects, using the B.C. standards, and here I might say the Committee on Education altered this on the availability of the sizes of our playgrounds as they were in 1960 and more or less indicated as you can see the standards were both in regards to construction of schools and playgrounds. The architects felt, as Mr. Baker has pointed out, that for a school that will eventually will grow to 900 to 1200 students we should have an acreage of a minimum of eleven acres and possibly as much as thirteen. They did suggest that in view of our northerly climate that the playgrounds aren't in use as much here as they are in the southern areas, that a minimum of eleven acres could be considered or the initial construction provided that there was an additional four acres available when the school expanded. They did point out that this school was not close to well developed playgrounds facilities such as existing at the Collins school and here it wouldn't be possible to use the facilities provided in the Collins School where these facilities are not being used to capacity and to utilize staff between the two schools, use the specialized teacherages. The main complaint was that the area was too small. The Takhini area the site was found not to be central in regard to the existing population and the way the population would probably develope in the immediate future. The site itself left quite a bit to be desired, it needed quite a bit of fill and drainage was a problem. The third site which was inspected was the location in Riverdale between the Yukon River and the Collins School. They mentioned that this site was satisfactorily 4 or 5 feet above high water level and there was lots of land available for the proposed school and for any expansion. The proposed school would be close to the existing playground facilities such as the ballfield, the track, the tennis court, and the school would be close to the present residences and the proposed secondary school residence. This is an important factor. The students in the evening, we could have the library open and they could use it to go over and study. And they could use the gymnasium facilities and so on. point which has become more significant in the light of the stand which Ottawa has taken and that is that if the school were built in Riverdale there would be no need to duplicate facilities except where duplication is required as between the Collins School and the proposed secondary school. It would also meet the problem of using the staff to the best advantage. It wouldn't be necessary for them to have two music specialists. There will be some facilities such as woodworking shops which will have to be duplicated as these are used to capacity right now but such shops such as the metallurgists shop wouldn't have to be duplicated. Students could easily go over from the proposed new school to the Collins School. Music teachers or other specialized teachers could be used in either school. from an educational point of view and an economical point of view and from an aesthetic point of view the architects felt that the site in Riverdale was the very best site and as I have mentioned, the present stand of Ottawa on this is this, would it not be more economical to extend the Collins School and forget about the proposed new school and they have asked us to provide information as to the number of square feet which would be required in the extension of the Collins School to meet our secondary school requirements for the next five year agreement. They have asked us to submit the specific areas that have to be added to this school and at the same time they have asked us to submit what would be the proposed footage of

Mr. Thompson continues.......

the proposed secondary school and this information has been submitted to them and they are studying it to determine which would be the best solution. I think I can say this, if the senior secondary school were to be built in Lot 19 the area would bw restricted and the expansion of it would be restricted and there would appear to have to be considerable duplication of facilities—you cannot expect students to be running back and forth with their timetable between Lot 19 and the F.H. SESSIONAL Collins School whereas in the Riverdale site you can have a PAPER #21 campus type of development and it would not at all be unreasonable and would make the best use of existing facilities and existing teaching staff.

Mr. Southam: Any further comments gentlemen?

Mr. Shaw: The only comments I would have are that Mr. Thompson, from what he has told us in respect to this school, that to me it does seem sensible that this school be be constructed in the Riverdale area. Apparently it is necessary and I would like to ask a question in relation to that. Would this proposed site be just on the other side of the street from the Selkirk School? If this is altogether it would be a regular campus.

Mr. Taylor: Mr. Chairman, I don't know whether or not we are going to have to have a paper on this at this Session so that we can discuss the pros and cons of this school because I have a couple of items that I would like to raise in respect of it and I don't know whether this is the right time or place. will look into it a little later. What I am concerned with now is what is done with the Lot 19. It seems unlikely that the proposed school will be constructed there for the reasons given: If we are going to let these lots go on Lot 19 they are selling building lots at a price of two to three thousand dollars per lot depending on the cost of services in 1967. I am wondering whether we are trying to recover the capital cost of sewer and water all at once, say amortization time was 15 years, leaving the lot owner only to pay the operation and the maintenance costs for the oncoming years or whether this two or three thousand dollars per lot is in addition to him paying annually per front foot cost of these services. I feel very strongly that in the opinion of government this is an extremely high risk area and then some consideration should be given to people who take a risk and live in that area. If you are ever going to fully develop it and cover it with taxpayers you will in one manner or another return the investment in the area. would like to hear the opinion of the Territorial Engineer.

Mr. Southam: Mr. Baker.

Mr. Baker: Mr. Chairman, I didn't prepare this information for this paper but as I recall the cost of Lot 19 was not to be recovered from the sale of the lots. The lot price was to recover the price of providing the streets, water and sewer. Wether there is going to be a foot frontage charge I just can't say. Mr. Spray could give you information on it.

Mr. Commissioner: Mr. Chairman, the questions that you raise are relevant to this paper were of considerable concern to me when this matter was being discussed. It was of further concern to me when I heard that the school situation was literally speaking not a practical thing to put on this property and if you would care to, Mr. Chairman, I have tried to draw together

Mr. Commissioner continues......
my personal thoughts with regard to this Lot 19 and if you
would care to and with your permission I would like to discuss
it with Council because basically speaking, I think in it may
be contained elements in answer to the question you were raising
Mr. Chairman. If I could have that permission from you Mr.
Chairman I would ask the Clerk to distribute to you my
thoughts on this thing is for Council's perusal.

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Mr. Chairman: Is Council Agreed? Agreed.

Mr. Commissioner: Mr. Chairman, I would preface my remarks and also the distribution of this to Council that this is my own personal thinking that has been put together here without benefit of legal, engineering, or technical advice. It is simply a matter of drawing something that would permit Council to give me their thinking and permit them to give me a little advice as to whether this is a track that should be persued further. I am suggesting procedures for development and we would first have to obtain approval of Territorial Council, Council of the City of Whitehorse and Ottawa on the following: "(a) Lot 19 is to be developed for single and multiple family residential use only and not as a site for a Territorial School."
In this regard I would refer you to the Metropolitan Area Plan which effectively shows the whole Lot 19 area as proposed for residential development. The yellow areas on this map. "(b) Lot 19 is to be resurveyed and reposted to obtain: 34 lots @ 50' x 100', 36 lots @ 60' x 100', 2 irregular sized lots. These lots may be serviced and sold during the period 1967 to 1976 at a cost to the purchaser of: 50' by 100' @ \$1,832.00, 60" x 100" @ \$2,167.00 (33.5 cents per square foot plus \$157.00 for a service connection)." Remember gentlemen we are offering this as food for thought. This is not telling you this is to be done or not. "(c) All lot owners are to pay, to the City of Whitehorse, a frontage tax of 65 cents per front foot for 20 years. This money is to be passed to the Territorial Government to help defray the capital cost of water and sewer service. (d) Four lots are to leased to the Fraternal Order of Eagles for 10 years at a lease fee of \$440.00 per year." The property referred to here is I believe that the F.O.E. have purchased the building that was the old Northwest Highway Ststem Officer's "(e) Twenty-four lots, which are not suitable for residential development, are to be used as a parking area to be developed and maintained by the City of Whitehorse." It was my thinking that the City of Whitehorse would be required to buy these lots from us at a nominal sum. But, I think that if any of you have been in that general area when there were public functions going on in the Civic Center, the Elks Lodge, and with the addition of the Eagles facilities, I think you will agree that off-street parking is a necessity. "(f) \$115,000 purchase price of Lot 19 is to be considered Project Capital." Now this is the major point that requires Ottawa's blessing too. Secondly, "Resurvey Lot 19 by January 1, 1967." Remember gentlemen that these lots are surveyed at 50 x 100 so reposting is required to determine where the 50 lots are and also to post the 60' lots. Also, "Obtain funds in main estimates, 1967-68, for servicing of 18 lots @ 50' x 100' and 5 lots @ 60' x 100'." Also, "Rename Lot 19 to something more attractive." Somehow or another the name Lot 19 has very familiar overtones of chaos and confusion. "Have the City of Whitehorse pass a By-Law authorizing collection of special frontage tax. List 23 lots for sale in 1967 immediately after Council has approved funds for servicing. Sell lots in Lot 19 on Agreement for Sale similar to Riverdale with clause saving Government from claims arising because of slides."

Mr. Commissioner continues......

Now I believe that Mr. Baker can tell us what this clause is that we have, in regard to Riverdale. I believe that these need development.

Mr. Baker: It deals with the lots in the vicinity of 8th Avenue.

Mr. Commissioner: In the Riverdale one isn't there something that says you have to build on this property in A specified time? Also, in the City, the ones under the slide, do they have a clause?

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Mr. Baker: They have a saving clause.

Mr. Commissioner: "Have City of Whitehorse assume responsibility for development and maintenance of parking area. Develop Lot 19 in five stages but advance date of development of each stage if necessary due to accelerated lot sales, and obtain funds in main estimates (when required) for servicing of lots." Attached further here for Council's perusal is what we have spoken of here in a bit more detailed manner. following property was purchased by the Government of the Yukon Territory, on behalf of Her Majesty the Queen, from the White Pass and Yukon Route for the sum of \$115,000 on May 31st, 1966. That portion of Lot 19, Group 804 including the subdivision of Blocks G,H,J,K,L,M,N,O,P, and Lots 1 to 6 inclusive in Block 31 and Lots 1 to 6 inclusive in Block 41. The administration, control and management of the property was transferred to the Commissioner of the Yukon Territory by Order-In-Council P.C. 1966-1432, dated July 27, 1966. The Surveyor General has been requested to issue instructions for the resurvey of a portion of "Lot 19". The resurvey will produce 34 lots at 50' x 100'; 36 lots @ 60' x 100' and 2 irregular sized lots in addition to 18 lots @ 50' x 100' which are not considered suitable for development as residential properties. Four of these latter lots are to be leased to the Fraternal Order of Eagles for \$440.00 per year and the balance are to be utilized as a parking area to service the Civic Centre, the Elk's Lodge and the Fraternal Order of Eagles. It is proposed to develop "Lot 19" in five stages commencing in 1967 with stage 1. The attached sketch indicates those portions of "Lot 19" involved in each stage of development. In order to make this property available for development by those residents of Whitehorse whose need for housing is considered greatest the purchase price of the building lots is to be set 10% less than the purchase price of a lot of equal size in Riverdale. The formula to be used is 33.5 cents per square foot with an additional \$157.00 for each service connection from the mains to the property line. Therefore a lot 60' x 100' in "Lot 19" will cost \$2,167.00 as compared to \$2,407.00 in Riverdale and a lot 50' x 100' will cost \$1,832.00 in "Lot 19" as compared to \$2,035.00 in Riverdale. As the Yukon Territorial Government paid \$115,000.00 to purchase Lot 19 and must now expend Territorial Funds to install water and sewer services and to construct streets and lanes it will be necessary to levy a frontage tax of 65 cents per front foot on each lot. The City of Whitehorse will be asked to collect this special tax on behalf of the Territorial Government. (A draft by-law for the City of Whitehorse is attached. This by-law should not be passed until services have been installed in that portion of Lot 19 shown as Stage 1.) Breakdowns of estimated expenditures and revenues are attached. Amortization costs have not been taken into consideration. This fact plus the fact that lot sales cannot be accurately predicted must be kept in mind when determining the Government's financial position on Lot 19. If it is not necessary to repay the \$115,000 from general revenue then there should not be any problem with the SESSIONAL PAPER #21 Mr. Commissioner continues......

financing of the services. We must assume that Ottawa will allow the purchase price of \$115,000.00 to be regarded as Project Capital. The resurvey of Lot 19 should be completed by January, 1967. Funds for the installation of water and sewer and the construction of streets and lanes in Stage 1 will be provided in the 1967/68 Estimates. Building lots in Stage 1 will be available for sale and development during the 1967 building season." Attached further is a schedule of the estimated expenditures for the installation of water and sewer service and construction of streets and lanes. Prices are based on 1966 costs plus 5% of 1966 costs added each year - not compounded). As I have said gentlemen this is nothing but thinking before you and if Council feels there is any merit in any of these proposals I would be very happy to have them gone into further in all points of view.

Mr. Taylor: I am still having a little bit of difficulty. I see where the 65 cent cost is to cover the cost of sewer and water installation. How do we arrive at a figure of \$2,167.00 for a 60' x 100' lot when you exclude the provision of sewer and water.

Mr. Commissioner: Mr. Chairman, it is simply a suggested price that these lots would be marketable at and there is no inference that this is going to recover \$115,000. It is simply a suggestion that this would be a price at which these lots could be merchandised.

Mr. Taylor: The Administration have provided 33.5 cents per square foot as a figure rather than per front foot and I am wondering as to why square foot with an additional \$167 per service connection. I am wondering why it cost \$2,000 to maintain the thing with a lane and a street for a 60' x 100'. Why this \$2,000 a lot, why any figure even relatively close to it? How do you break down the cost to this figure? Is this street paved and is this what it normally costs?

Mr. Commissioner: There is no inference involved that in this figure is relative to anything except reasonable appraisal at what this lot could be reasonably merchandised at. I have simply suggested that we price these lots at approximately 10% less than the price of the lots in Riverdale. The same thing applies to the price of the lots in Riverdale. It is not based on anything outside of the fact of what we have to deal with and what the lots have been sold for.

Mr. Commissioner: Mr. Chairman, the Administration is open to any suggestion from Council. I think I stated before that this was simply food for thought. I make no suggestions on this that it should be adopted carte blanche. In using actual facts to come up with the pricing of the lots, taking the \$115,000 cost and diluting the lots that are on Mr. Baker's advice are not even reasonably suitable to build on, adding the cost of sewer and water and dividing that into the number

Mr. Taylor: One question, what was the amortization period?

Mr. Commissioner: 20 years.

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Mr. Southam: Any further discussion?

Mr. Shaw: Mr. Chairman, this has raised a number of problems, none of them serious but most of them administrative. There seems to be quite a habit in the Yukon Territory, I am not saying why or how, but all of a sudden you notice in the paper that in a couple of hours a contract will be made for such and such on a big deal so of course everybody chases around and somebody along the line gets the contract, tender I should say. I have heard complaints around this table from other members where contracts, large contracts involving \$250,000 and so on, that these tenders have been advertised two weeks and public knowledge given for a large contract or project which will involve a quarter of a million or more. Now when things like that come up it is very very obvious that not sufficient people know about this to be familiarized with what is to be constructed and all the details and therefore the contracts for something like this can be at a price which is extremely unfavorable and can be changed. It seems that I might be digressing me from the subject but it seems to me Mr. Chairman that this is a very important matter. I have noticed in the governments, I don't know which governments, where there is no attention brought on these matters and important projects. This is what I consider an important project and I think attention could be made to this particular matter. We also have the matter of this being based on a five year operation. I can see the idea of these agreements when they are made up for five years they look like less. It seems to me Mr. Chairman, obvious that the very likelihood that this will cost less in five years than in 1967. In other words, if you had taken a trip across the country last week it would have cost you less than it will likely next month. It also appears to me that if there was lots of diagnosis given to the contractors you would get a more favorable price for doing the job all at once than you would in doing it in small portions. I think some consideration should be given to that. Now, this is a matter of another sort that I am concerned with and that is who is going to obtain these lots? Is it going to be some of the money people or are these lots only going to be sold to persons, individuals that will purchase, enter the necessary agreements, but these are only sold to individuals and one to an individual? I say that because normally speaking in the course of business we buy up a bunch of property and we develop it and we make a profit thereby and there is nothing wrong with that but in this particular instance the government of Canada and the government of the Yukon Territory are subsidizing this particular area to the tune of \$115,000. Any benefits that arise I think should be given to the little fellow who builds his own private residence. I wonder if this is the intention in relation to the expansion of this particular area?

Mr. Commissioner: I can assure you that the Administration will seek and be guided by Council's wishes in relation to any aspect along these lines.

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Mr. Watt: Mr. Chairman, are we assuming right now that we are not going to put a school there. I had two questions before, the first was the vocational school and the second was Lot 19 if no school was going to be there. Now, the first question, I don't know whether it is too late to ask it now but we were shifted off to Lot 19 and one question I would like to ask is the location of the school. If it is definitely decided that it is not going to be on Lot 19 and apparently it is, now this is a map of Whitehorse and the area around Whitehorse. yellow is residential property. The residential areas are largely on top of the hill and Valleyview--all this way. are putting millions of dollars worth of school across the river. Now, what is going to happen when we start using this land here and we are going to have all our schools here and one path across the river. Has the administration taken this into consideration? This is the future growth of the City and we are thinking along the lines that the growth will take place across the river and there is doubt about this. I like the suggestion of expanding the Collins School rather than building another. I think Lot 19 would have been a better location for the haul area students who go in and out of Whitehorse. I would like to hear the administration's comments on the location of the school.

Mr. Commissioner: Well I think I would have to call on Mr. Thompson and Mr. Baker in that regard Mr. Chairman because they have the benefit of having spoken with the architects pertaining their studies on this.

Mr. Thompson: I could perhaps read to you from this report and this is what they have to say. "The proposed Land Use Plan for the Whitehorse area as presented in the report titled Whitehorse, as prepared by the Architectural and Planning Development department of the Central Mortgage and Housing Corporation in 1963, indicates a projected heavy residential development in the Riverdale area and in the Hillcrest-Valleyview-Camp Takhini area--two suburbs located at opposite sides of the City central area. Residential development within the City central area should occur as a progressive upgrading of properties from single-family to multiple-family residential usage. The current trends in residential development, as evidenced over the last five years, include a gradual increase of building in the Riverdale suburb. There are at present approximately 205 single-family dwellings in this area representing an area density of about 3.75 units per acre. Available land for further development is in excess of 370 acres, which, on protection, indicates the possible future development of over 1380 additional dwellings. Including apartments and a proportional future apartment development, the Riverdale area could house some 1750 families or 6300 persons before some land shortage occurs. At current rates of growth this could represent a reserve for many years of residential development, and the quality and attractiveness of building in this area should ensure it's continuing preference for residential development for some time. On the other side of the city, the Hillcrest-Valleyview-Takhini areas have extensive potential for development. However, there are some uncertainties owing to existing developments such as the tank farm, the new prison and the uses to which permanent army buildings will be put. We believe that a planning study of this area would greatly assist the orderly development. The conclusion can therefore be drawn that residential development

Mr. Thompson continues....

will likely continue more rapidly in the Riverdale area than
in other areas, and that there will be an increase in apartment
development in the City central area. Despite growth in the
Porter Creek, Crestview, Takhini and Valleyview areas which
could substantiate the need for a junior secondary school in
this area, the wieght of population will likely lie southward
for some time, and strongly suggests that the suitable location
for the senior secondary school be in this direction."

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Mr. Watt: With this increase of population, I think you could use 6300 in Riverdale and we propose a school for 900. Is the school larger than the area or is the area larger than the school or what?

Mr. Thompson: I think the study indicates that there is a total of 1750 families could live in the Riverdale area, or approximately 6300 people, before a land shortage occurred. This is presumably a long time look into the future. There are only 205 single-family dwellings in the area at this time compared to the probably 750.

Mr. Watt: What I am trying to get at is what population is this school supposed to take care of.

Mr. Thompson: The school we are thinking of could handle between four and five hundred students. We are thinking of it being expandable to approximately 1000 senior secondary students. Refore another senior secondary school is considered another junior secondary school should be considered as the need is greater. I was asked if the school would be adequate in the Riverdale area of 6300 people. If Riverdale were to increase in population to that extent then it would be understandable that other areas would expand too.

Mr. Watt: This is what I am getting at. The rate of growth in Riverdale and you take the rate of growth in other areas outside of Riverdale, I mean in Whitehorse West and in Porter Creek, in the last few years the growth is just as rapid. I think the more rapid growth is going to be accelerated in the other areas and we are going to have everything in the one location and one of the reasons for using Lot 19 in the first place was to eliminate the bus problem, less transportation and have a more central location. Now the reason for moving it across the river is that the teachers can go back and forth but to me it is easier for one teacher to move than to move thirty students. Apparently in the last Session we had it all decided. We had a school located in Lot 19 and we had room for houses and lots besides and then we were told it was an earthquake zone and now we are told it is not big enough. It appears that everything in this line is going to be built in Riverdale and other parts of Whitehorse are getting taxed for it. I don't object to getting this built in Riverdale but if the Administration is going to put everything over there just to promote land sales then I object to it. I am in favour of having the schools wherever they serve the most people. It looks to me that we have been sold a bill of goods in the last Session--everything was fine. We were getting lots of sound arguments as why the Lot 19 should be used and now we are getting lots of argument as to why it shouldn't be used. Now we are getting lots of sound arguments about across the river. I just don't know where to turn or what to believe. It appears now that it will definitely be in the Riverdale area.

SESSIONAL PAPER #21 Mr. Taylor: Mr. Southam, I am wondering if this question could be answered verbally or if it is going to require some time.

Mr. Thompson: Mr. Chairman, I think the Commissioner has given his opinion and I indicated what the study by the architects, an organization skilled in these matters, recommended. I think I also recommended what my own opinion was. The architects certainly recommended the site in Riverdale between the Collins School and the Yukon River and speaking for myself I feel in relation to the studies that in all factors this site is the best site.

Mr. Taylor: Gentlemen, I will now call a recess and we will reconvene at two o'clock.

RECESS

Tuesday, November 15, 1966 2:00 P.M.

Mr. Chairman: Gentlemen, I will now call the committee back LOT 19 to order. We were discussing Lot 19. I wonder, gentlemen, DISCUSSION if you would continue with your discussion. You will also note that Mr. Froese is replacing Mr. Thompson who is otherwise occupied.

Mr. Shaw: Mr. Chairman, it seems to me that -- I am trying to remember Councillor Watt was posing a question at this

Mr. Watt: I will let it go, Mr. Chairman.

'Mr. Southam: Mr. Chairman, it seems to me we were discussing Sessional Paper #21. It has to do with Lot 19 and somewhere in the offing we got sidetracked, as usual, and now we are discussing schools. We know from what we have been told the school is not to go on Lot 19 evidently. I think in view of that this school business could come at a later date. Mr. Commissioner has given us his views for us to peruse and come up and help him in some way, shape or form with some ideas. I cannot see that we are getting anywhere in discussing the school at the present time. We know we are going to build the school and we know that it is not going up on Lot 19 and it is not going up in Takhini, therefore, it must be going up in Riverdale. Right now I don't think we need to go into great detail on it and the thing to do is to try to figure out a way whereby Lot 19 can be made profitable. Put it on the market and get our money back that we expended on

Mr. Boyd: Mr. Chairman, Mr. Smith and the Staff, have a proposal here. The lots here are slightly less than lots we are talking about in these papers, being Lot 19 is slightly less than the Riverdale area. You have to start somewhere with something. Mr. Smith has pointed out that the price arrived at is what they consider will be acceptable and a price at which it will sell. I don't think we can accomplish more sitting around this t_a ble hashing over something that has had already a very considerable amount of attention. I think our concern is to get some buildings built on there and have it converted from what is now an ugly bald spot into something that is of service to the people. I would be quite in favour of leaving things as they are. They are in good hands and these lots, I was going to say if they don't sell at the price then it has to be looked at but I don't think this is going to happen. And I don't think you can buy a lot anywhere else in Whitehorse for a figure any better than this; four or five thousand dollars a lot without any consequence-- I think this situation is very fair. It is ,attractive.

Mr. Shaw: Mr. Chairman, this lot, Lot 19 is a subsidization effort. Let us face it. However, there are many time it is necessary to have subsidization. There is one thing I am or I would be opposed to in this particular case and that is where there is subsidization and people could put up commercial properties on this lot and receive subsidization. In other words a group may decide to put up an apartment building, on this particular lot. So they would buy this and the government in turn would be providing them with, depending on the amount of lots, but they would be providing them with two_thousand_dollar a lot of free ground. LOT 19 (Mr. Shaw continues)

DISCUSSION I am somewhat hesitant about government giving them four thousand or six thousand dollars or whatever it might be to build this commercial establishment, if that is a commercial establishment. I wonder if Mr. Commissioner could advise me or the Council Committee, Mr. Chairman, if these lots are purely for private people to fill with houses or will an amount of these lots be available for commercial property? Commercial property defined as an apartment for rent.

Mr. Commissioner: It would be our hope that the lots we are speaking of here, this is exclusive of the lots that are going out on a lease basis to the Eagles, and the lots that are entirely unsuitable for construction we hope that the City will purchase for parking lots, it would certainly be our hope that the vast majority would be for single family units. Without looking at the City zoning to the best of my knowledge this is zoned entirely for single family units. Possibly Mr. Baker might be able to correct me on this but as far as I know that is the situation.

Mr. Baker: I believe multiple dwelling is allowed.

Mr. Commissioner: In this general area? I see. Now, further it has been brought to my attention that the lots in this grouping that are directly close to the Elks Lodge might conceivably be more appropriate for multiple dwelling than for single units because of the general location. It would almost be in a semi-commercial type area. But again I say, Mr. Chairman, we are looking for Council's help and guidance and advice and there is no fixed or firm ideas of the Administration on this and if it is the Council's wish that we keep this single lots sales wherever it is practical we will be happy to do so. I can see the point in Councillor Shaw's question and I can assure you this is the thing we will keep uppermost in our minds to endeavour to arrange the most orderly and most useful disposition of the property.

Mr. Shaw: Mr. Chairman, I would feel that this primary objection is to get people to build residence on these lots and I appreciate that and in order to get this thing sort of finalized I think this is a sensible program and I very much agree with it. But I would also feel that it may be desirable in view of the limited space that we have some apartments constructed that could house five or six or seven or eight families. So I would not like to put any restrictions on the fact that whether there is an apartment or not because it may be a very good thing. The only part that I am concerned about is that an apartment is a commercial enterprise and I feel there are many other ways and means that people in business can avail themselves for getting money for whatever the project might be. I don't feel that we should subsidize them, these people from this project in which it is the primary intention to give individual lots to build private residences. This is the only thing that concerns me and if I had the assurance that if a commercial enterprise did establish in this area they would pay the full amount rather than have the tax payer assist them in a profitable enterprise.

Mr. Boyd: Mr. Chairman, I am a little concerned about that leasing to the Eagles of the four lots or whatever it is. I have nothing against leasing it to them but if we lease it we are responsible for the ground, that is for the condition of it. There is a slight set-up that has to be taken into

(Mr. Boyd continues)

consideration and that is that while the whole bank does not DISCUSSION slide it does slide in a certain coulee in a certain place. It is subject to slide, wash or mud-- silt, and I have seen it a foot deep right at the door of that building and it had to be bulldozed away. Now if we lease it to these people we will have to care of this situation. Before this leasing should take place I would think that priority number one is the drainage of this thing once and for all. Nobody has done anything about this except talk for ten years and I would like to leave this with Administration. I would not expect to get some kind of an answer like the effort already made concerning this where somebody says they planted thirty thousand willows on that hill. I would like to have someone tell me, Mr. Commissioner, how they planted them -- from an airplane? This is the kind of an answer I don't want to see come back to us concerning this slide area and the drainage of it. Let's do something!

Mr. Commissioner: Mr. Chairman, I think I intimated that nothing is going to be proceeded without clearance from our engineering department, whether leasing or selling, likewise we are not going to do anything without the advice of our legal department as to where we stand. Certainly, what you are doing, gentlemen, is giving me your thoughts and these are very much appreciated.

(Mr. Southam takes the Chair)

Mr. Taylor: Mr. Chairman, just one point that we should bear in mind in respect to this and Councillor Boyd brought out a strong point and that is that something should be done in regard to this drainage or at least slow down this water, if indeed it can be done. I think in relation to the school there is some legistical argument, argument against not having it there for some reasons -- apparently there is not enough room . It is a big area in its entirety, apart from a slide from any earthquake possibility, I think it is just as bad in Riverdale as it is against that hill because if there ever was an earthquake and that dam breaks you would see what would happen around here. I think I would like to remind members, as I recall, Lot 19 in relation to residential construction was initially thought out as a place where the squatters and the whiskey-jacks and so forth would locate in modest homes. In this regard we brought in low cost housing, and we discussed low cost housing the other day where a person could build a low cost house, and thereby assisting someone in a low income bracket in obtaining a home and the amenities that go with it such as sewer and water. Now this didn't work out but nevertheless, it should be borne in mind that this is still a sound objective, and in determining the cost of lots, as I stated this morning, there is no real factual justification for this 35.5 per acre other than to say "well this is roughly based on what Riverdale lots are sold for." And, therefore, I think that in formulating this program this should be borne in mind in relation to the cost of the lots to the individual. A man can borrow money under the low cost housing ordinance, sufficient money to build a home and I think his purchase of the land must be considered because if a guy is going to build a home and he has only a small amount of money for equity for which to build one then he certainly cannot afford to pay twenty nine hundred or three LOT 19

(Mr. Taylor continues) DISCUSSION thousand dollars for a lot, and so I-- oh, yes, that should be 33.5 cents per square foot not per acre-- so I think this should be considered. As for subsidization, am I to understand that in this Balance Sheet we have before us that the revenue side of the fence shows \$156, 350.00 this is partially recovered from the sale of the lot. The estimated expenditure would be \$140, 492. Would this not be a self-sustaining entity by the time this program is fully completed? Or would it still be considered a subsidized program?

> Mr. Commissioner: Remember when you are speaking of both of these figures, Mr. Chairman, you still are not adding the capital cost of the project, which is one hundred and fifteen thousand dollars. This is what I tried to clear up with Council this morning that if you would have what is a self-sustaining project lots would have to sell at four thousand dollars. This is an impractical situation and this is what has given rise to this. There would be some further recoveries, Mr. Chairman, but remember that we are only giving you an estimate of what it is going to cost to service this property using the 1966 figure plus five per cent increase per year factor, which may or may not turn out to be true, so I wish to make it very very clear that I am not trying to mislead Council into assuming the suggestion offered here in any shape or form that the situation is self-liquidating. This is not the case.

Mr. Taylor: As I say, Mr. Chairman, that it could have been or I assume it might have been because there is no justification. The factual figures prove the 33.5 cents a square foot... Estimated revenues are at this moment in excess of estimated expenditures. As a result much of this money is being recovered through the sale of the lots, and it is entirely possible that this could be in a large part the initial capital. The one hundred and fifteen thousand that we spent for the lot, a great amount of that could be recovered.

Mr. Commissioner: Mr. Chairman, I would hope that that estimate would be correct and that we would recover more than is indicated here but it is very very highly doubtful, sir. Also remember in this we are assuming that we will be able to sell one hundred per cent of the saleable lots. This may not be entirely the case. I concur with Council's thought, Mr. Chairman, but I wish it to be very very clearly understood that I am not proposing something that I feel in my mind is going to be self-liquidating.

Mr. Taylor: Mr. Chairman, my final point before I rest the matter is the fact I wish to step back for one minute to the matter of the escarpment problem and the problem it constantly creates. The great concern last year was the possibility of an earthquake triggering a slide and endangering school child-ren. This may well be possible. This is where our engineering department, I understand, was also consulting other engineers and it was stated that it is possible. If this is the case would it be wise in suggesting that the area not good enough for a school partially on that ground contain multi-family dwellings? In other words should we build apartments there? And, indeed, should we build homes there?

Mr. Commissioner: Mr. Chairman, I think this was a part of

(Mr. Commissioner continues)

my remarks that nothing will be done until we have satisfact-DISCUSSION ory recommendations from our own engineering department that Lots A, B. C, D, and so on are properly safe for building either single or multiple family dwellings. It is certainly not my intention, Mr. Chairman, to embark on any kind of a project where my staff advise me that there is either a legal problem or a technical problem. I am sure that none of us would want to be party to knowingly exposing anyone to a very obvious danger; an non-obvious danger is something different again.

Mr. Taylor resumes the Chair.

Mr. Watt: Mr. Chairman, it appears that the vocational school is already settled. I would like to ask is the major cost of servicing these lots that of water and sewer?

Mr. Baker: Yes.

Mr. Watt: And we are also making provisions in the plan for the recovery of the cost of the water and sewer system?

Mr. Baker: I could not answer that as I have not seen the paper and don't know what it contains.

Mr. Commissioner: Mr. Chairman, if you gentlemen will recall we had a problem here in Whitehorse with an area west of 8th avenue, an area taken into the City of Whitehorse after the sewer and water of the City was installed. We were faced with installing sewer and water and recovering as much as we could of the installation cost. At that time Council decided that sixty five cents a foot frontage over a period of twenty years plus certain things from the general revenues of the City would make a compatible deal and would make an acceptable method of dealing with that and this is what we did. I simply put forth this suggestion to you that the property purchasers in this area, if Council goes ahead with the idea, would be called upon to pay sixty five cents a foot frontage for twenty years, such moneys to go towards services which would include sewer, water, streets and street lights. In some instances no doubt this sixty five cents would recover a vast majority of this money; in other instances, depending upon the contract price, it may not recover it at all.

Mr. Watt: Mr. Chairman, it appears that we are collecting for these services twice in this area; once in the original payment and secondly, in the sixty five cent front footage. In this plan here we are suggesting that the cost of the lot should be ten per cent less than Riverdale but in Riverdale they don't pay sixty five cents for front footage but here they are. So in effect these lots will be priced at twenty five per cent higher than Riverdale. I find it fantastic to believe that the cost of the lots -- that they can't be serviced for an awful lot less than they are estimated. I don't know what you feel now is the cost but I believe Proctor did theirs for five fifty a foot but that was some time ago. I find it hard to believe that you need more than a hundred feet of main for every lot. You have twelve lots to a block and you are running a pipe to catch -- three hundred feet of pipe to catch twelve lots. I find it fantastic to believe that any figure like four thousand dollars a lot could even come up to it. This whole thing of Lot 19 I find almost unLOT 19 DISCUSSION

(Mr. Watt continues) believable. First we plan the school there then we find out that it cannot be done. Then we were promised that it would be up for sale last year as lots to people to build on. Then we were sent a letter saying that a group of individuals in town wanted to buy a dozen lots right off the bat would we immediately give our approval of letting it be sold to these individuals without public tender, or be allowed or be set up so the public could purchase it -- purchase any one of these lots, and we didn't give our approval to that. Now we have another plan. I find it hard to believe that there is any serious thought of putting Lot 19 up for sale. I hope I am wrong but we have been working on it for so long that I won't really believe it till I see it. Mr. Shaw had made a suggestion a while ago and that was that the contract price for complete servicing for Lot 19 be called at one time to get a good price for the whole area there rather than have it subdivided, and the lots as they are needed be sold. if the general figure that is used in Lot 19 be sold for ten per cent less than the lots that are sold in Riverdale but when you add on the frontage tax which they don't pay in Riverdale then in effect what you are doing is charging ten-twenty five per cent more.

Mr. Commissioner: Mr. Chairman, believe me if Council feel we should sell the less for less then this is what I am here for. I am not telling you what should be done. I simply want your thinking on the matter and your advice.

Mr. Thompson: Mr. Chairman, I am in full accord, for a change, with Mr. Watt. With just some quick calculation here it appears that with these seventy two lots that we have the total recovery price is better than one hundred and forty thousand dollars, so there is your capital cost right now. If as Mr. Watt says, the services are to be assessed over and above this then this is in relations to previous sale of lots as in Riverdale not quite in line with the price. As Mr. Taylor pointed out that originally it was proposed that this would be an area where the less affluent or the lower priced help, shall we say, would have an opportunity to buy these and I feel in view of the various comments that a reassessment or reappraisal could be looked into and conceivably a more equitable price placed on these.

Mr. Commissioner: Mr. Chairman, could I ask is Council clearly indicating something for my guidance? In this regard I am happy to look into any aspect of it at all if Council so wishes.

Mr. Chairman: As a suggestion from the Chair, I am wondering if three Whitehorse members could find an evening to get together or sometimes get together on this subject and possibly come up with their thinking on it. Might prove to be the most expeditious way of dealing with the matter.

Mr. Commissioner: Mr. Chairman, I think the point Mr. Watt made wondering if Lot 19 is ever going to open up at all. I think this is a question that really confronts us all. At the present time we have many hours of work tied up in it in the form of Administration work and in the form of Council work and also one hundred and fifteen thousand dollars of public funds tied up in this property. I think it behooves us to get together and get this property into profitable use. Now it is simply a means what the mechanics will be of doing

(Mr. Commissioner continues) this. I can assure you that whatever you come up with I will LOT 19 be happy to do everything possible to get the federal govern_DISCUSSION ment to give their blessing to our suggestion and try to get the City of Whitehorse to give theirs and and carry on from that point.

Mr. Boyd: Mr. Chairman, In the first place the ground in Riverdale the Territorial government owns it; and the ground we are talking about we have bought it for a figure so we just can't forget that angle. We must get something back without subsidization to too great an extent. And if you compare the price we are asking for the ground we have had to buy to any other lot that is available in Whitehorse, by and large it is cheaper than they would have to pay for a privately owned lot. So nobody is getting hurt. I think these lots will be sold at a rather remarkable fast rate and they will give the tax payer proper encouragement without any trouble.

Mr. Commissioner: Mr. Chairman, if the plan along these lines is proceeded with and we are able to get services say for a hundred and forty thousand dollars, and a hundred and fifteen thousand you have already put in it you will have at that point two hundred and fifty five thousand dollars, that is capital cost involved. And, we are estimating here now that it is going to be a hundred and fifty six thousand dollars recoverable, therefore, it would appear that there will be a hundred thousand dollars in subsidy, less about another twenty five thousand dollars in frontage tax which would be collected beyond 1978 one way or so. You are looking at a subsidy of approximately seventy five thousand dollars.

Mr. Watt: Mr. Chairman, I find it fantastic to believe that you have got an area over there in Riverdale and some of the lots, these crescents, some of them a two-hundred-foot frontage. They are not neat little squares. They may be a little more attractive but they are not little squares. And, the service you have here, granted we are purchasing the property here which we didn't do over there, but we have thousands of dollars of capital investment in mains running from the hospital almost right over to Riverdale which is a mile of main which would more than offset the cost which you would be putting out for land over Lot 19. Here we have water mains, sewer mains and every other kind of mains, and road running in and to Lot 19. I find it fantastic to believe that lots over here are going to cost that much more than in Riverdale. I would like to see it developed one way or another. These two stipulations I want to make and I hope Council goes along with it. = I don't want to get anymore letters from Administration saying that Mr. X wants to build apartments will you quickly give your approval for Mr. X to purchase these certain lots. I think these lots should be first of all one to a customer and everything open and above board, and first there first served. They should be advertised and sold and a big map put up in a public place like they did in Riverdale and say "Lot #6 is empty and you can go out an buy it." This I think should be done and I also think we should have to try and name a time by which these lots can be put up for sale, April or May of next year, so that construction can start during the summer.

Mr. Boyd: Mr. Chairman, I think that Councillor Taylor had

LOT. 19

(Mr. Boyd continues) DISCUSSION a good suggestion. As far as I am concerned I have nothing more to say. I have said all that I feel I need to say. The suggestion was that the three Whitehorse Councillors could meet and they would meet with the approval of the committee too. I suggest that with time we can accomplish what may satisfy Mr. Watt.

Mr. Chairman: Does the Committee agree with this proposal?

Mr. Watt: Mr. Chairman, it is just that I would like to get something from the Administration in writing. We could make all the agreements that we want if we get some answers from-on the votes and proceedings here the Administration can refer to them later on and take our suggestions into consider-I have not wasted much time at this Council session ation. and I don't intend to waste any time but this is pretty important piece of real estate, and a few basic principles if laid down and agreed upon by Council then we don't have to come back and argue them over again. The Administration can agree upon and put this thing up for sale. I would like to hear Administrations comments on these last two suggestions I have made, that is putting this up for sale to the public; and first come first served.

Mr. Commissioner: Mr. Chairman, offhand I can see nothing the matter with this. The only thing that comes to my mind without studying the proposal is that we have the problem where possibly three or four lots would be required for multiple units. I realize they may not be in the first stage, stage three I think it is, but we will have to have some understanding on this, Mr. Chairman. As far as individual lots on the first come first served basis I see nothing wrong with this at all.

Mr. Shaw: Mr. Chairman, We can go on discussing this at some length as far as wasting time goes. But it appears that to resolve this situation the three members of Council that represent Whitehorse could meet with the Administration to look further into this. I think their guidance will be the discussions that have been taking place here by all members and after these discussions have been ironed out, and no doubt you will have to take the City Council into this, they will be concerned about this if they are going to take over this property and the zoning regulations and other things that perhaps we have not thought of at this time. So that in the spring a program can be presented to Council that has been already hashed over by the Administration, the representatives of Council or Committee. City Council will have been taken into confidence, and I think that very important, and then we will have a program that will be pretty well resolved. And I appreciate the manner in which the Commissioner brought this to the Council for general discussion. I am sure that he will be able to refer back to the minutes and see what transpired and that will be a pretty good guide line to follow. And I would move, Mr. Chairman, that a Committee of Council be formed mainly of the members representing Whitehorse, and they meet with the Commissioner from time to time to assist him in coming forward with a comprehensive program for Lot 19.

MOTION

Mr. Southam: Mr. Chairman, I second that motion.

Mr. Watt: Speaking on the motion, I would like to say that MOTION RE if we come with a comprehensive plan in the spring it is too LOT 19 late. We should have something now so that the Administration can get started on this. We had a comprehensive plan last spring and everything was all settled and the lots were supposed to have been up for sale in the area there and then it was too late. Now we are starting over again. Now we are postponing it to next spring. As far as this multiple dwelling, if there is provision for it in the third stage, I would think there should be provision for it near the first stage. Once such unit is available it should be put up on public auction. If it is not sold then if someone wants to purchase it afterwards they can purchase it. The fairest way would be to put it up for public auction. We had a case in the City here where some land was sold for a unit such as that and I understand the cheque was there even before it was put up for auction. There was an awful lot of criticism over that. I would not want the same thing to happen to the territory. But as far as waiting till spring to come back to Ad-I would not want the same thing to happen to the Terriministration with a plan, well we have a plan here that is fairly good but there is a few basic principles that I think should be embodied in it.

Mr. Shaw: Mr. Chairman, of course, I cannot amend my own motion but if the time involved is too long this was done purely unintentionally. I have seen so many occasions in the past where we have done something right now and we had to pay the piper later on. So I left that period of time that I felt these questions needed to be answered. For example, I have raised some matters that are of concern to myself and that I have not got any answers at the present moment. I didn't think it possible that these questions could have the answers arrived at by fall. I would not want to hold up this affair. I have been most cooperative on Lot 19 but so far nothing has materialized that is really concrete. So that if possible to do it earlier I am in complete accord with this, and I would suggest that someone make an amendment that this be earlier. I am not allowed to amend my own motion.

Mr. Southam: Mr. Chairman, I was wondering if Councillor Watt thinks this will be too late how about January? Would this be too late or too early?

Mr. Chairman: Mr. Commissioner, how long do you think it would take to resolve matters on hand?

Mr. Commissioner: Mr. Chairman, without appearing to be factious, I have personally been involved in this Lot 19 since about 1954, and the only thing I am interested in is seeing what we can do to get the local potential property buyer or house builder to participate in the fruits of his own tax dollar. We have a hundred and fifteen thousand dollars tied up in this property, and I want to do it under terms and conditions that are going to be acceptable to this Council. I am not going to make you any predictions as to exactly how much more time is involved, but I would hope that we would proceed on as prompt a basis as possible. If Council would see fit to allow me to work on a continuing basis with the Whitehorse Councillors on the understanding that the general outline of what we have presented here is the framework here within which we are going to work, this would be very good.

(Mr. Southam take the Chair)

MOTION RE Mr. Taylor: Yes, this is what has been put forward in the LOT 19 motion. There is one question I would like to ask. Is the money already provided in the Supplementary Estimates for this or will this have to yet provided?

Mr. Commissioner: There is no money provided in the Supplementary Estimates. There is no provision for the advancing of this money for the installation of services. It has to be provided in the spring. I would like to also bring to Council's attention that there is a lot of work to be done and it will be a long time before you spend any money.

Mr. Taylor: Mr. Chairman, this would be spring before we would, and when I say spring I mean March, before we would have knowledge-- before this plan could be formulated. That is pushing the building season even at that. I don't see anything wrong with the three Whitehorse Councillors and the Administration and the City of Whitehorse resolve this problem to the best of their ability and possibly gives us a report in the spring on how they made out.

Mr. Commissioner: Mr. Chairman, could I say one more word. I know that I have spoken for a considerable length in this matter, but I think the general hope would be that we formulate a plan of action which we would be doing in the full knowledge that it had Council's blessing so that the requirements of money for the installation of sewer and water would be forthcoming. In the meantime we would be able to come to some arrangement that would be compatible to the three government departments and your own Council Committee, and thus enable us to put these lots up for sale in plenty of time so that people could have at least a couple of months before the building season to raise the necessary finances and finalization of their own plans.

AMENDMENT TO MOTION Mr. Boyd: Mr. Chairman, I would like to move an amendment to the motion. It would simply read that Administration and the three Whitehorse Councillors proceed to put the project into operation as soon as possible.

Mr. Thompson: Mr. Chairman, I am just wondering. We have in front of us a procedure for development. Now to my way of thinking I can see no reason why we can't give this procedure for development its approval in principle. The only thing we are haggling about are prices and times and things of this I don't feel that this is our concern. They should conceivably come under review, and I feel that if we give approval in principle that these matters can be taken care of with specific direction from this Council. I would suggest that these procedures are laid out one, two, three, four--A, B, C, D. It would take a very short time to enumerate them And in one instance where Mr. Watt has and go through them. suggested that these lots be made available on a first come first served basis and things of this nature. This is quite a simple matter to make an addendum or make an addition, and I would suggest that in passing these motions that we proceed on this basis.

Mr. Taylor: How do you wish to proceed, gentlemen, with regard to this matter?

Mr. MacKinnon: Mr. Chairman, this is brought before the

(Mr. MacKinnon continues) Council according to Mr. Boyd's motion it would be putting the three Whitehorse members -- I might possibly want a lot there myself and I think it concerns the entire territory not just the three Whitehorse members. I think this is a very very slipshod way of approaching matters in front of us.

DISCUSSION ON AMEND-MENT TO

Mr. Chairman: Councillor MacKinnon we have been discussing this for an hour now and it is agreed upon by all members of Council that this matter would be taken by the Administration as per discussions to date and the three Whitehorse members would have opportunity between now and the spring session to work with the Administration in the development of this property. This is what has transpired this afternoon.

Mr. MacKinnon: Thank you, Mr. Chairman, then it is a cut and dried deal.

Mr. Chairman: I wonder if Councillor Shaw and Councillor Southam would wish to withdraw the original motion and we submit the amendment as the original motion.

Mr. Shaw: Mr. Chairman, I would be pleased to withdraw the original motion.

AGREED

ORIGINAL MOTION WITHDRAWN

Altematical design

MOTION WITHDRAWN

Mr. Chairman: Now I have a motion moved by Councillor Boyd AMENDMENT and seconded by Councillor Watt that Councillors Watt, Thomp-BECOMES son and Boyd be appointed as a Committee of three to discuss ORIGINAL Lot 19 with the Administration and report back to Council as MOTION soon as possible.

MOTION CARRIED

MOTION CARRIED

Mr. Chairman: I wonder, gentlemen, if at this time Mr. Froese and Mr. Baker might be excused.

AGREED (Mr Froese and Mr. Baker take leave of Council Chambers)

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RECESS

Tuesday, November 15, 1966 3:30 P.M.

Mr. Chairman: Gentlemen, at this time we will call the Committee back to order and I believe Mr. Commissioner has an item or two to bring to the Committee at this time

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& THUOMA DISPOSIT-ION OF RE LIQUOR OFFENCES

Mr. Commissioner: Mr. Chairman, I have a wire from the Min-EXPERIMEN- ister, Mr. Laing, who says "You might wish to convey to Council that my colleague, the Honorable J. J. Greene, has assured me that, despite press articles and rumours to the contrary, it is the firm intention of the Department of Agriculture to maintain the experimental farm at Mile 10-19. Mr. Greene suggests that when you are next in Ottawa you meet with this department officials and go into the matter fully and I agreed that this would be excellent". Mr. Chairman, yesterday I was asked by Councillor Thompson concerning the amount and dispostion of fines paid by Indians as a result of prosecutions brought under the Indian Act. At that time FINES PAID it was intimated that due to a court decision Council found BY INDIANS of much state of being able to give the Indians the privilege of purchasing liquor but that offences incurred as a consequence of this were chargeable under the Indian act. "Until the recent series of decisions on the point it had been customary to charge a person of Indian status under the Liquor Ordinance and revenues from fines under that Ordincance go to Yukon Consolidated Revenue Fund. We are advised that the fines paid to the Federal government under the Indian Act are as noted below the full effect of the decisions is seen in the latter part of the fines paid to the federal government under the Indian Act, 1966 starting from January through to this date in November total \$6, 772. 27"

(Information to be tabled as Memoranda)

Mr. Boyd: I didn't quite catch-- were you saying that all fines pertaining to Natives goes to the Yukon Consolidated Revenue Fund?

TION RE

Mr. Commissioner: Mr. Chairman, the contrary. Those where the offence is brought under the Indian Act the money goes to the federal coffers. Mr. Chairman, I have one more item here. Several days ago we had communication from Northern CLOSURE OF Affairs in Ottawa that there would be representation here KENO HILL to look into the economic effects of the possible closing of the United Keno Hill Mines. "As a result of discussions between the Minister and yourself ... United Keno Hill, October 27th, Caldwell Chief Resources Management Division and ... of this group will be visiting Yekon for the purpose of discussing and assessing the economic consequences of ... to curtail operations..." I have proceeded to get certain people available for this meeting, and in this regard I have spoken to Councillor Southam, as this is in his particular area but all other Councillors would be very welcome to attend this meeting or further, if it is Council's wish, we could have a Council representation in the form of a committee you would be very very welcome.

> Mr. Chairman: It has been suggested that Councillor Southam would attend would it not be reasonable to assume that if there is anything Council can do he would bring it to their attention?

Mr. Shaw: Mr. Chairman, it appears it would depend on how

(Mr. Shaw continues) Councillor Southam attended this meeting whether as a member MOTION from Mayo or whether he would attend as a committee of one from this Council. I would move that Mr. Southam be appointed as committee of one to attend this important meeting and to report back to this Committee.

Mr. Boyd: I will second that motion, Mr. Chairman.

Mr. Chairman: What would this meeting be called?

Mr. Commissioner: I am afraid it would not have any formal name, Mr. Chairman.

Mr. Watt: I would like to ask have these people indicated that they wished to speak to Council?

Mr. Commissioner: Mr. Chairman, they are coming here at the behest of the department, the Department of Northern Affairs to assess the economic implications of United Keno Hills closure, if such comes about.

Mr. Chairman: I have a motion before me, moved by Councillor Shaw and seconded by Councillor Boyd that Councillor Southam be appointed a committee of one to attend meeting related to the closure of United Keno Hill Mines and report back to Council.

MOTION CARRIED

MOTION CARRIED

Mr. Commissioner: Mr. chairman, further answers to questions that were asked are in course of preparation. I will have them ready for Council tomorrow.

MR. Chairman: Quite often those requiring a written answer SESSIONAL are usually tabled at the morning session. This of course, PAPER 22 gives us the opportunity to discuss them. Gentlemen, we have before us Sessional Papers. The first Sessional Paper #22 relates to the Director of Fitness and Amateur Sports. I am not clear as to whether we resolved this problem. I am wondering if I may have your direction on this.

Mr. Boyd: Mr. Chairman, do you recall you were the first man and you stood up and said "No!" -- N - O - and we carried it from there.

Mr. Chairman: Do you gentlemen agree that we do not wish a Director, and typist and so forth in relation with Sessional Paper #22? ing a single bat

Mr. Boyd: Our agreement was that it could be handled better financially and so on by Administration. It did not make sense to go ahead with the proposal as it is there.

MR. WATT: Mr. Chairman, I would like to ask if we could make as good use of this in Yukon Territory as they do in the Northwest Territory. In this Memorandum we had where the Northwest Territories used up fifty five or fifty six thousand dollars and Yukon Territory has used up twenty five thousand. Now the main difference appears to be that they have

SESSIONAL (Mr. Watt continues)
PAPER 22 a Director that know

a Director that knows how to use this in terms of reference. For example in the Northwest Territories they have a figure-skating instructor and here in Yukon they are crying for a figure-skating instructor on a part time basis or a full time basis. They just can't get one. Children want to take part, the ice is available but no instructors. I would like to ask Mr. Commissioner where the breakdown in communications is.

Mr. Commissioner: Mr. Chairman, I have not had too much time to look into this very carefully but I would simply pass this information on to you that in the Northwest Territories it would appear to me that the true difference between what they have spent and between what we have spent is eleven thousand dollars. We have distributed effectively speaking twenty six thousand dollars and we have more to go and we have not had any Administrative cause, other than our normal day to day operations. In the Northwest Territories they have been able to spend sixty thousand of which twenty three thousand dollars cost them to operate their office. And, Mr. Chairman until I have had opportunity to get a little more background on this thing, I am afraid I will have to ask Councillor Watt's forgiveness for not being able to give him more information. But I do think it noteworthy to see where a very large portion of the Northwest Territories' expenditure is made.

Mr. Chairman: Are you gentlemen agreed that we do not desire an officer and so on?

AGREED

SESSIONAL PAPER 23

Mr. Chairman: We now go to Sessional Paper #23, addressed to Mr. Speaker, Members of Council - Territorial Historic Sites and Monuments Board. (Reads Sessional Paper #23)

Mr. Commissioner: Mr. Chairman, may I have the opportunity of commenting on this? The matter of Historic Sites and Monuments of less than national significance is what we are interested in doing something about. Now, if this proposal does not meet with Council's approval I would like to hear what alternatives they would like to propose to accomplish getting this work done. As time goes on people who are available who can help us and who have knowledge of certain facts and conditions such as relate to particular spots in the territory become less and less available, and the marking and proper identification of these places with the passing of time becomes harder and harder. We do not suggest spending large sums of money but we are suggesting that we try to have a catalogue made of historic sites and over a period of time a program would be embarked upon that would result in proper identification and marking in a manner that would be of benefit to anyone, the traveling public, the local populace, and all the way down the line. This is the basic idea.

Mr. Boyd: May I ask what type of a Board did he have in mind? How many people, their capabilities, their pay?

Mr. Commissioner: Mr. Chairman, our thought would be to possibly have a centrally located Board and possibly have three people. These people would not be on any salary

(Mr. Commissioner continues)

type of basis, strictly voluntary or honorary nature who PAPER 23

we would expect to call on different groups or individuals
throughout the locality to advise them on this cataloging.

If the cataloging itself could not be done within the confines
of one of our departments we would possibly have to spend
money to have this done. Any direct pocket expenses that
would be incurred by these people I feel we should be prepared
to pay them for these out of pocket expenses but it is not
the intention to create a salaried group of individuals to
carry on ad infinitum.

Mr. Boyd: Mr. Chairman, that is fine, thank you.

Mr. Shaw: Mr. Chairman, I think this is an exceedingly good effort but at the same time we must remember that this sounds a lot easier than it actually is. What are historic sites in the Yukon? Now we say such and such is of national imporance so that means that the historic sites in Yukon will be those that the federal government decides is not national, or of national significance. I believe that is the criteria we will have to use on something like this. I myself have been quite a proponent of having something like this for close to thirty years. I saw in 1952 when the capital moved from Dawson many of the civil servants packing most of the transportable objects from the government mansion and now they are scattered all over the world, probably destroyed. We have had a man working for the federal government. I think they called him an archivist or something of that nature, whose function it was to go around the territory and gather data of the historic things and that, of course, includes Yukon, and that is commendable. However, just gathering data to me is not enough, it is only one portion of this particular undertaking. The department of publicity, and this fits in with what we are talking about, put up a monument on the Montague Roadhouse. Now, that is very good. It is one of the old Roadhouses that were used, a real old Roadhouse. The sign is fine but the building is falling down and one of these days it will collapse and all you will see is a pile of logs and that will be the end of it. So there is much more to it than just getting this done. I think a Board were formed, and I assume the Board would delegate certain persons throughout the territory and they would designate certain parts of the territory as historic sites. And, then to carry this out we will need some money to rebuild this or that or whatever has to done. Now, in this particular matter I believe we have a man that is gathering up data. I don't know whether it is Territorial or federal but my understanding is the person is about to start to gather historic data. Mr. Chairman I wonder if the Commissioner could get me data to ascertain whether this is correct. I have heard rumours, and rumours are rumours, you cannot believe everything you hear. I believe in going to the horse's mouth, and I don't mean any disrespect when I say that, Mr. Commissioner. But I would like to know whether this is so; that there were boxes and boxes of historic data came from the Administration building and for safe keeping they stored it in the building that you have, the Forestry building, this was a few years ago, and I understand a fire came and burned the Forestry building and of course, burned all this historic data. I would like to know whether this is in fact the truth or just a rumour. However, I feel this is a step in the right direction and we have this

SESSIONAL (Mr. Boyd continues)
PAPER 23 old boat at Carcross

old boat at Carcross, this Tutshi, and that is falling apart. There are a lot of people that come up to Carcross to look at this boat. The federal government apparently feels that it is not of national significance, but there is no question that it is of Territorial significance. And, therefore, it is important togget this thing going, not just leave it to dedicated people to retain this history. This is something we should do. As elected members of the people it is our function to get things started rolling. So, Mr. Chairman, with this Monuments Board I think it is a step in the right direction, and I am certainly behind it.

Mr. Commissioner: Mr. Chairman, the half of the question I can answer; the other half I can't. I can answer the question in regards to the burning of these documents.

Mr. Shaw: If I could dispel this thing from my mind-- it does appear there has been some laxity in respect to these documents.

Mr. Commissioner: Mr. Chairman, It is in fact correct that such records and archives are presently being organized and catalogued and Mr. Innes-Taylor is the man that is looking after this. And, this will verify the situation along with the burning of the records— that is true.

Mr. Chairman: Mr. Southam, will you take the chair. Mr. Chairman, in this respect on the matter of the archivist it was brought to my attention, I believe, during a stint on Financial Advisory Committee some time ago, that programmed in this next five-year agreement would be an archivist and he would be here for a year or two years. His duties would be to chronicle the events of our fabulous historic past, and I say this with all conviction it is a real shame, a real pity that this has not been done earlier. There is too much of our past lost. Many of our old timers at Dawson had come over various routes that remain historic sites. Events such as Captain Black's old regiment and all those things which are lost for all time. I hope that this will come about and I am very interested, as Councillor Shaw is, in knowing whether or not this has been scrubbed or whether they are going to carry on with the program. There are other sites throughout the Territory, Dawson being the most significant. It was the center of the area, and from there came Carcross and various routes with some sites even in Alaska, which is the Livingstone Camp, and before the whole thing is lost consideration should be given. We have Selkirk, Fort Frances and in fact sites along the Pelly, the Liard, and just about every major river in the Territories. So I think it is all right and I agree with Councillor Shaw that somewhere along the line elected representatives of the people could well play a role here. And, also there is much of this that is federal responsibility. It is hard for me to say whether we should set up a Sites Board with Territories money and should we be contributing money or what is our next step. Something has to be done. I would hope this committee would be people Something such as the Historical Society who have been in the business for some time.

Mr. Boyd: Mr. Chairman, what is meant here is excellent but right off the bat the first thing you will be faced with if

(Mr. Boyd continues)
you are going to accomplish anything is to restore the build PAPER 23 ing which Mr. Shaw spoke about before it is a pile of logs on the ground. The boat at Carcross in a few weeks, put it that way, will be on the ground. The windows are broken and everything is gone in a sense. In fact we are faced with spending a lot of money if we are to get this thing rolling. There is no point in having a board or a committee if they haven't got any money. I would like to direct a question to the Commissioner. Do you suppose we can get enough money in the budget to make our efforts worthwhile. We have to have the money otherwise we will be in the same boat as this Council is. You can't vote money unless somebody else agrees to it. Somebody else has to agree before we know if we can go anywhere. Would it be strictly Territorial financing or would the federal government participate in it?
Would the federal government participate in say seventy five per cent of it?

Mr. Commissioner: Mr. Chairman, if Council would agree to what we are suggesting here every effort will certainly be made by the Administration will see that adequate funds are budgeted to proceed with constructive work along these lines. First, Mr. Chairman, the first step in this after the Board is established is to get some sort of or type of cataloging of this and get some priority established and this in itself is quite a little task and this is what we would like to get on with. From that point on we would do our utmost to provide funds as we are able to do. The basic principle to start with is what we have askek for here. I agree with Councillor Boyd that we are going to require money to do something in the final constructive nature but in the meantime we are going to try to do something with it.

Mr. Boyd: Mr. Chairman, that is fine, but I would like to hear from Mr. Smith as to whether he feels that— who is going to pay for this? Is it seventy five per cent federal or hundred per cent Territorial. This is what my feelings are going to be when it comes to financing this— it is going to make a difference, an awful big difference as to what my feelings are going to be when it comes to thinking about the project.

Mr. Commissioner: Mr. Chairman, I would not make any predictions as to what the percentage will be. I have no past experience to go on in that regard. Also I have no idea of what the Historic Sites and Monuments Board of Canada have granted from some of their funds towards regional projects. I am sorry I can't tell you, and I would hesitate very greatly to make a commitment at this time as to what we could anticipate having . I would be most happy to make representations as Council would see fit when the time came to get as much federal participation as possible.

Mr. Taylor: Mr. Chairman, there is one other aspect to this. It states here "If you agree, we will proceed with whatever legislation may be required and make provision in estimates for appropriate marking of sites designated by the Board." This could mean two things. One is what type of legislation is thought of here? Obviously there must some thinking on this legislation. Is there some legislation to prevent some removal of artifacts that should remain here or just what legislation is forecast? And the other is how quickly can

SESSIONAL (Mr. Taylor continues)

PAPER 23 you get legislation, do you think. We have waited for legislation for stuff we ordered five years ago such as Labour
legislation, Game, Workmen's Compensation.

Mr. Commissioner: Mr. Chairman, all we can do is keep on working. As to what kind of legislation we require I am sure Mr. Legal Advisor would be able to give us directions on this. The only thing that I can see is that some things that may be of historical nature stands on property that we may have to purchase and we might need legislation to permit this. And I am sure also that there would be legislation needed perhaps under certain conditions to declare an article or building to be declared of historical significance and stopped from being removed. Mr. Legal Advisor, do you have a comment on this?

Mr. Legal Advisor: I can't assist in this. I have not been consulted about it and I don't know anything about it at this stage. As it indicates it may be necessary to acquire property and to clear this property may require expropriation. I will do my best to inform myself and advise you.

Mr. Boyd: Mr. Chairman, I know we are talking about a lot of money and we should have an indication of how Ottawa feels about this. I think when Council is in Ottawa they should take the matter up with them and find out where we stand right then and there. In the meantime Administration here will have time to lay whatever plans they feel are desirable. Before we go ahead and appoint a Board without knowing anything about the money end of it we should wait until after we are in Ottawa. I am all for the project but you can take any subject we haven't got the money unless Ottawa is going to be behind it.

Mr. Shaw: I don't understand what Councillor Boyd is worrying about. The best criteria you can find is going through the budget and you will see that regardless of what the project may be the government pays seventy five-- eighty five and in that ratio. If we do proceed with this it gives you the past years as criteria. We can say it is roughly seventy to eighty five per cent. If it is running into millions then it is ninety.

Mr. Boyd: Mr. Chairman, I did ask that questions and nobody would take any responsibility. If you can assure me that this will be so I have no more arguments.

Mr. Shaw: Mr. Chairman, I am not giving anybody assurance I am looking at the budget and I see we raised two million and spent ten so there is the answer.

Mr. Watt: Mr. Chairman, I would like to ask Mr. Commissioner a question. This hiring of an archivist is a new principle. I don't remember Council giving approval. Was this done from Ottawa?

Mr. Commissioner: Mr.Chairman, I cannot directly answer but I will see that it is dealt with and I will try to bring forth the answer you ask for in connection with the project.

Mr. Watt: If it was then it appears that Ottawa is participating in it more than we are. I would like to suggest that

(Mr. Watt continues)

if Ottawa wants to carry on and set up a new department, the PAPER 23 idea of gathering together some of these, that is good. If Ottawa is willing to pay the shot I certainly would not object to it but if this is going to pyramid into something astronomical I would hesitate.

Mr. Shaw: Mr. Chairman, as a resident of the Yukon Territory I am quite proud of Yukon Territory and I personally feel that Yukon Territory should be most interested in and rather than saying "Joe you do it". It is up to us to find the money. We may not do it on the grandiose scale that we could or rather would like to, it is our Territory, and we should go ahead ourselves.

Mr. Southam: Mr. Chairman, I think it is a good idea and I also think in looking around the Mayo district old timers are getting scarce, and if you are going to find out history which I don't know, then you had better move. It is time we got moving. Now there are old timers around there, not too many, who will tell you "this was here" and something else "used to be there". I think it is about time, as the Commissioner said, it should be catalogued. So we would know what happened here or there. We had a visit from an old timer from the Mayo district who is now living in Oliver, and he told me that he had been around the Mayo-Dawson district ever since he come from the States fifty seven years ago. I am sure a man can tell you about a few historic sites. We are talking about a three-man board or whatever it might be but I think it should be somebody from each district...

Mr. MacKinnon: Mr. Chairman, I would like to say that from my point of view we are getting few too many departments. I believe this particular thing could be handled by the publicity office or department. We have about three months of the year of tourism. We have a hundred and some thousand dollars department at the present time and I think they could well handle this Historical Sites Board, and fill in the other nine months of the year. They have very little to do. I just cannot see the purpose of setting up of another department when we have an idle department at the present time.

Mr. Thompson: Mr. Chairman, to alleviate the fears of some of the members of Council and also assist the Commissioner there is an item in the Supplementary Estimates for three thousand dollars for an archivist. Notice of this position was made on the 4th of October and that coincided with the Financial Advisory Committee meeting and that is why we were made aware of it.

Mr. MacKinnon: Three thousand dollars? Is that for his board and room? Or is that for his salary?

Mr. Thompson: It is a contract price, Mr. MacKinnon, for six-month period. Whether he pays his board and room out of that I am not sure.

Mr. Chairman: Any further discussion, gentlemen?

Mr. Boyd: Mr. Chairman, I would just like to know what disposition we are making of it? We have not given Administration a clear picture of what we want.

SESSIONAL Mr. Chairman: Gentlemen, as per discussions that have gone PAPER 23 on this afternoon and to be duly recorded in the Votes and Proceedings, would you agree in principle with the suggestions in Sessional Paper #23?

AGREED.

Mr. Chairman: Mr. Commissioner, you have your direction. Now shall we proceed to Sessional Paper # 24-- It is the Commissioner's opening address which will be referred to in prorogation of session. Sessional Paper #25 was dealt with, the five-year agreement and the visit to Ottawa. Sessional Paper #26, Landing Facilities - Ross River, that was dealt And we dealt with Sessional Paper #27, Acquisition of B.C. Pan Handle. And, we also dealt with Sessional Paper #28 re Highway signs. We have one reamaining Sessional Paper at the moment and that is Sessional Paper #29, the Alaska Highway handover. It is addressed to Mr. Speaker, Members of Council (Reads Sessional Paper #28)

Mr. Chairman: Is there any discussion, gentlemen?

 $\mbox{Mr. Taylor:} \quad \mbox{I just have one question, Mr. Commissioner from the Chair.} \quad \mbox{Is there any possibility that this change-over}$ could be affected next spring, next April?

Mr. Commissioner: Mr. Chairman, from a purely practical point of view it would not appear this is the best solution. As you are well aware, the financial structure within which you will be operating starting April 1st has been under discussion and there has been tremendous work, very much work done between here and Ottawa for many months past, If the highway was to be taken over at that time, I am assuming the majority of the work would be nullified while the inclusion of the highway system was incorporated. Whereas the effect of leaving the highway take-over for another year will mean that this will be the subject of a separate agreement and will not be clouded over with other aspects of our financial requirements at the time. Likewise the upgrading of the public service ordinance which is the subject of Mr. Ritchie's representations to you in Council tomorrow, is a very important part of this take-over because we will be doubling, almost, the size of the public service of the territory. of these people are all working under different terms and conditions ... The revised Public Service Ordinance which will be the result of your talks with Mr. Ritchie tomorrow will certainly not be known until the spring sessions of Council. All in all, Mr. Chairman, it would appear to me an inadvisable move to try to speed up the take-over of the highway, from the point of view that I mentioned just now.

Mr. Chairman; Any further discussions, Gentlemen?

Mr. Shaw: Mr. Chairman, is it correct that the Fort Nelson section of the highway is going to be let out on a contract basis and the employees of the D.P.W. are coming up here?

Mr. Commissioner: Mr. Chairman, The portion of the Alaska highway that, we as a government, will be dealing with is that portion of the highway which lies within the borders of the Yukon Territory. Mr. Chairman, what is happening beyond the borders of the territory I am in no position to answer. As a matter of interest I will endeavour to get your questions answered but I certainly have no solid information at my finger tips.

Mr. Chairman: Gentlemen, If you are concluded with this item we have one other important item of business, unless we have more information on bills already dealt with, that is the Main Supply Bill. Do you wish to proceed with the Main Supply Bill now or is it too late this evening?

SESSIONAL PAPER 23

Mr. Commissioner: Mr. Chairman, if it is your wish to do work on the Main Supply Bill I would ask if I could have a little notice so that I could get the necessary people available to answer Council's questions as they come up. Is this the time, Mr. Chairman, when you consider your program for tomorrow?

Mr. Chairman: I was just going to try and get direction from Committee.

Mr. Boyd: Mr. Chairman, this Main Supply Bill, could we tend to formalities this evening, merely the reading of the bill, and not start on the business of it until tomorrow. If we start on it now I am afraid it is getting late to tend to much business on it.

AGREED.

Mr. Commissioner: Mr. Chairman, may I be excused at this time if Council has now further requirement of me.

AGREED.

RECESS

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Tuesday, November 15, 1966. 4:30 p.m.

Mr. Chairman: I will call the Committee back to order. We will proceed with Bill No. 11, An Ordinance for Granting to the Commissioner certain sums of Money to Defray the Expenses of the Public Service of the Territory. (Reads Bill No. 11). What is your pleasure, gentlemen?

BILL #11

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

MOTION CARRIED

MOTION CARRIED

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

Mr. Taylor: Mr. Speaker, Committee convened at 10:40 a.m. to discuss Bills, Memoranda, Sessional Papers and Motions. Committee first discussed Sessional Paper No. 21 with Mr. Baker, Mr. Thompson and Mr. Commissioner in attendance. Committee recessed at 12 Noon and re-convened at 2:00 P.M. Mr. Froese attended Committee at this time. Moved by Councillor Boyd and seconded by Councillor Watt that Councillors Watt, Boyd and Thompson be appointed as a Committee of Three to discuss the development of Lot 19 with the Administration and report back to the Council as soon as possible. This Motion carried. Councillor Shaw moved, seconded by Councillor Boyd, that Councillor Southam be appointed a Committee of One to attend meetings related to the Closure of United Keno Hill Mines and report back to Council. This Motion carried. Committee then discussed Sessional Papers and the reading of the Main Supply Bill. 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. This Motion carried.

Mr. Speaker: You have heard the Report of the Chairman of Committees. Do you agree with this Report?

All: Agreed.

Mr. Speaker: Now, before we have the Agenda for tomorrow, I have matters I would like to bring to your attention. I was asked to make arrangements for Council to visit the new Correctional Institute and I have accordingly made the arrangements. There will be transportation provided outside the building tomorrow at 1:00 P.M., that is right after dinner. I hope you will find that satisfactory. There was one other matter I was asked about and that is the matter of the gentleman that is coming from Ottawa, Mr. Ritchie, to meet with Council and I have set the agenda on that for two o'clock tomorrow if that meets with your agreement. That will be following the Correctional Institute Tour. Is that agreeable?

Mr. Taylor: Mr. Speaker, there is one problem. I am just wondering...we will be touring both the camp and the Main Institution and I am wondering, in view of the travelling time involved, if we will be back by two o'clock.

REPORT OF COMMITTEES Mr. Speaker: In that matter, gentlemen, I have informed the Commissioner that we may be a little late and it is not out of disrespect to the person concerned but we may be unavoidably detained for a little while but that's set up so that if it is a quarter after or twenty after, I don't think it will make a great deal of difference.

Mr. Clerk: Mr. Speaker, when I made the arrangements, I did not arrange for Council to visit the camp because the camp is not all in one spot. The Acting Director asked me if I would request that Council postpone the visit to camp until possibly the end of the Session, rather until tomorrow.

Mr. Taylor: Mr. Speaker, the reason that I brought this matter up was because I principally wanted to see the camp before the camp was completely set up because it has relationship to a Motion that I will be proposing tomorrow morning to have these camps removed from Whitehorse to another location, and it is my understanding that I, as a Councillor, would certainly like to see this if the Department of Corrections would relent and let us see this at this time.

Mr. Shaw: Might I, from the Chair, inquire from the Clerk of the Council if this camp is in the immediate vicinity of this Correctional Institute or is it a long ways out?

Mr. Clerk: The Camp is fourteen to sixteen miles out of town.

Mr. Taylor: It is apparently located at Wolf Creek, just outside of Whitehorse. I believe that this is the object of the exercise and I would ask the indulgence of the people involved to see the camp. Apparently the units are fairly close together.

Mr. Speaker: Gentlemen, between 1:00 and 2:00, I don't think there will be sufficient time to visit the Correctional Institute and then travel about 35 miles to visit something else but perhaps we could lay out...leave it with me so that I can perhaps lay on the agenda a visit to this camp, possibly the day following tomorrow.

Mr. Taylor: Mr. Speaker, if Council would agree...of course it's up to whatever Council would like to do...I would like to suggest that priority be to the camp first and then the Medium Security Unit next.

Mr. Speaker: What is the pleasure of this Council in respect to that? It's immaterial to me. Is it your wish to first visit the camp?

All: Agreed.

Mr. Speaker: Mr. Clerk, would you please arrange that we see the camp first and we will have to make other arrangements in order to see the Correctional Institution on account of the time involved. Now, that is tomorrow. And, if we proceed the balance of the day with Bills, Memoranda and Sessional Papers and Motions, is that agreeable to Council?

in the section of the

All: Agreed.

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

Moved by Councillor MacKinnon, seconded by Councillor Southam, that we call it five o'clock.

MOTION CARRIED

MOTION CARRIED

Mr. Speaker: The Motion is carried. This Council now stands adjourned until tomorrow morning at 10 o'clock.

EAST TO SERVICE STATES 3

Wednesday, 10:00 a.m. November 16, 1966

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

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

Mr. Clerk: There is Mr. Speaker.

Mr. Speaker: Do we have any correspondence this morning? CORRESPONDENCE

Mr. Clerk: Yes Mr. Speaker. We have three Sessional papers this morning, Sessional Paper #30 - Office Accommodation for the Yukon Territorial Government, Sessional Paper #31 - Separate Schools, and Sessional Paper #32 - Department of Municipal Affairs and Housing Development.

PAPERS 30, 31
for you this AND 32 Mr. Speaker: Thank you Mr. Clerk. I note for you this morning that we do not have Councillor Southam with us but as you will recollect he is a committee of one on this meeting to be held in respect to the pending closure of the mine at Mayo. Yesterday during the daily routine Councillor Watt inquired as to why we did not observe the same rules of debate in committee as we did in Council. I said that I would take that as an advance question and look into the matter and give him his answer this morning. Now, this I have done and I find that in committee of a whole the same rules do not apply as they would in Council. The rules that apply in committee of a whole are in fact that no member shall speak for more than 30 minutes at a time. That is to be found on page 10 of Standing Order #59., subsection (3). We have taken our rules mostly from Beauchesne with slight alterations, very few if BEAUCHESNE If you go to Beauchesne you will find in Standing Order No. 59 in the House of Commons, reference to speech and so forth in committee is as follows, "No member, except the Prime Minister or the Leader of the Opposition shall speak for more than thirty minutes at a time in any committee of the whole House". I have not been able to obtain any rule whereby the

Mr. Thompson: Mr. Speaker, I do not have it with me but I would like to table it this morning and it will be ready for distribution tomorrow.

amount of time you could speak so I would rule that by not having any further information on how long you can speak that there are no restrictions on how many times a member can speak in committee of a whole. Have we any reports of committees?

Mr. Speaker: That would be the Financial Advisory Committee NOTICES OF Have we any notices of motion and resolution?

MOTION &

Mr. Taylor: Mr. Speaker, I would beg leave to give notice of motion respecting the Liquor Ordinance and a motion respecting a Centennial Plaque.

Mr. Speaker: Have we any further notices of motion?

Mr. MacKinnon: I beg leave to give notice of motion re the Minimum Security Camp.

Mr. Speaker: Have we any further notices of motion? If not we will proceed. We have notices of motion for the production of papers. We will then proceed to motions.

Mr. Watt: I am sorry I was looking for my daily routine here. If it is Council's wish if you would like to dispense with notices of motion for the production of papers I am prepared to carry on.

Mr. Speaker: You have something to introduce?

Mr. Watt: I introduced it yesterday but I have to have Council's consent to have the paper, production of papers, introduced to Council. If not I will leave it until tomorrow.

MOTION

FOR THE Mr. Speaker: Under this motion for production of papers we PRODUC+ have the following: "It is respectfully requested that the TION OF Administration present to all members up to date and amended PAPERS copies of the Regulations passed with respect to the White-horse Metropolitan Area." Are you agreed with the motion? Any contrary? The motion is carried.

MOTION CARRIED

MOTIONS Mr. Speaker: Do we have any motions this morning?

MOTION #3 Mr. Taylor: Yes, Mr. Speaker. Motion No. 3 moved by myself and seconded by Mr. Thompson, Re: 24 Hour Broadcasting. That in the opinion of Council, the Administration are respectfully requested to convey to the Prime Minister of Canada to request that funds be provided to the Canadian Broadcasting Corporation, which would ensure the operation of Radio Station CFWH - Whitehorse on a full 24 hour basis. May I proceed?

Mr. Speaker: Proceed Mr. Taylor.

Mr. Taylor: Well I might say that possibly this can be termed as here we go again. This matter has been before us for many years and I think that at each Session over many years it would appear that as the amount of money involved here is something in the vicinity of \$10,000 a year, it would also appear that in view of the millions and millions and millions of dollars being spent across Canada that \$10,000 is a very small consideration in relation to the amount. We have been told that Emergency Measures Organization have not considered this a requirement under their program as the L.P.R.T.'s are considered. We have with great repetition gone after C.B.C. Northern Service thence to the C.B.C. superiors and we have been back and forth and we have been to the Minister of Northern Affairs. So now, I think in view of the fact that the Council of the Yukon Territory have been totally ignored by the Canadian Broadcasting Corporation. The wishes of the people of the Yukon are generally expressed by this body and so consequently the people of the Yukon have been ignored in this respect and we have always had full concurrence on this matter. I think the matter should be brought to the attention of the Prime Minister of Canada and in this respect I would urge the full support once again of all members of Council.

Mr. Watt: Mr. Speaker on speaking of this motion I think that it is entirely out of order. I think it is bringing up something else that has been agreed to unanimously by the Council. Secondly, this has been in before and we have let it go. We haven't asked the Prime Minister but we have asked C.B.C. and everybody else and thus we have had a memorandum in respect to 24 hour manned broadcasting in Whitehorse and this memorandum states that it is too expensive. I think that if this motion is carried and it does go through then C.B.C. will be getting two requests from the Territorial Council, one unanimously passed by this Council that we would like an L.P.R.T. system for the Whitehorse area and I don't think the other will be unanimous because I can't vote for it as I think that it will do more harm than good. No doubt the manned system would be a little bit better, the chances are the output would would be a bit greater but we have been on this for six years now and we have had a unanimous agreement

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Mr. Watt continues.....

on an L.P.R.T. system now somebody is throwing a monkeywrench into out chances of getting this. I am sorry to see it. I am sorry that the member from Watson Lake couldn't have waited until the next Session. If our L.P.R.T. system fails then he MOTION #3 could put in this request for a manned system in the next Session. I think that it would then be in order and I would vote for it but in voting against this motion it is not that I am against this system but it is just that I think that this motion is going to do more harm than good if it is passed by Council and secondly I feel the motion should be out of order because it is to provide 24-hour radio service in the White-horse area and I am sorry to see a member from an outlying area is so willing to throw a monkey wrench into the efforts that Council is trying to do Lere to provide some kind of 24 hour service here in the Whitehorse area. It is unbelievable that they provide this simple basic service and to outlying areas and they do not provide it here in Whitehorse and secondly that the member from Watson Lake is trying to throw a monkey wrench into our getting an opportunity to get some service here. One of the reasons for this is to provide a service for shift workers and I would say that there are three times as many shift workers in the Whitehorse area than in any other area. This is where the service would serve the largest area. I am sorry that this monkey wrench has been thrown into this and I just hope that, both of these motions are turned down in Ottawa, then if so Council willhave another opportunity at the next Session to put in another motion in for an L.P.R.T. system and I hope that this same thing foesn't happen then as it did in this session.

Mr. Speaker: Is there any further discussion on Motion #3.

Mr. Thompson: Yes, Mr. Speaker, as seconder of the motion I can't agree with Mr. Watt. I feel that we have tried in every manner to have our 24 hour broadcasting of C.B.C here in the Whitehorse area. As had been stated here we have been shelved at every possible turn and although we did vote for an L.P.R.T. I think the term that half a loaf is better than none. I concur with this but I still do not feel that we should give up the fight for 24-hour broadcasting manned service in Whitehorse and it is for that reason that I seconded the motion and I am quite sure that the majority of the people feel that we should have it and I don't think there will be any conflict of interest what—

Mr. MacKinnon: I believe the motion is out of order and I first brought it to the attention of Mr. Watt. It is conflicting with the motion that has already passed this Council and I believe Mr. Speaker that it is your duty to make a ruling on this motion and place it out of order.

Mr. Speaker: I would rule that the motion is in order.

Mr. Taylor: Mr. Speaker, in closing I just wanted to make one point clear and that it is just not a member from the hinterland who has been so concerned about the situation that he has continued to raise it. But it is a member from the hinterland who represents his constituents that this facility not the L.P.R.T. but the radio station C.F.W.H.--it services a great deal of the people in my area and consequently as their representative I am more concerned than ever about this situation. I suggest that it is a sound one both in the interests of the people involved and the community's aconomy.

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MOTION #3 Mr. Speaker: Are you ready for the question? Are you agreed with the motion? Any contrary? The motion is carried.

MOTION CARRIED MOTION CARRIED

Mr. Speaker: Mr. Watt?

Mr. Watt: Could I have a vote on that motion again to see who all was in favour of the motion.

QUESTIONS

Mr. Speaker: Those in favour to the motion? Those contrary? Are you satisfied Mr. Watt. Mr. Commissioner would you care to join us at this time. The next item is questions.

Mr. Taylor: I have a question to address to Mr. Legal Advisor. I am just wondering, will copies of the Criminal Code be provided to the members at this Session?

Mr. Legal Advisor: Could I deal with that? It was a question raised by you between Sessions.

Mr. Taylor: Thank you Mr. Speaker.

Mr. Speaker: Have we any further questions?

Mr. Watt: I would like to direct a question to Mr. Commissioner, maybe he can answer it and if not maybe he could get the information for us. That is, do you have any knowledge of the cancellation of any of the C.P.A. flights out of the Yukon during the duration, and out of Whitehorse, of the T.C.A. strike. I have heard that all C.P.A. planes are to be pulled off of here and chartered back to T.C.A. to service the transcanada route. Have you any knowledge of this Mr. Commissioner and if not do you think you could find out for us and possibly the Council make provision with Wien Alaska to continue flights out of Whitehorse as this would completely cut us off from any outside communication.

Mr. Commissioner: Well, Mr. Speaker this is the first that I have heard of this but I will certainly make enquiries as to this initiated immediately and so advise Council.

Mr. Speaker: Does that answer your question Mr. Watt. Do we have any further questions?

Mr. Speaker: Mr. Taylor will you please take the chair.

Mr. Speaker: Councillor Shaw did you have a question?

Mr. Shaw: Mr. Speaker I have a written question and it is in relation to the R.C.M.P. residences at Dawson and the question is as follows: "In view of the present construction of the R.C.M.P. residences at Dawson in which a concrete basement has been poured in 30 and 40 below zero weather in spite of the fact that I heard rumors many months ago of this impending construction. Why is it left to this impractical date and time and resulting in inefficiency and the money of the public having to be expended?" And a supplementary question: "Why was this built in an area that is one of the lowest areas in Dawson and about the first to get flooded?" The next is, was the Commissioner's office notified of this construction or consulted as to location of this residence?

Mr. Speaker: Thank you Mr. Shaw, would you kindly file that with Mr. Clerk.

Mr. Shaw: Thank you Mr. Taylor, I will take the chair. Any further questions?

Mr. MacKinnon: I would like to direct a question to the Commissioner. In regard to the Aishihik road, I am wondering if we can expect complete maintenance of this road next year?

QUESTIONS

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Mr. Commissioner: Mr. Speaker, I cannot give assurances to the Councillor's question one way or another. I can say this, that money has been requested in the new five year fiscal agreement for this particular maintenance job and it is the desire of Administration to maintain this road and every effort will be made to so have it done but I would make it very clear, Mr. Speaker and to the Council, that to a degree this is dependent on us getting the specific money allocated to us for this in the new five year agreement. We have not been faced with this out of pocket cost ourselves in the past. It is a new expenditure but every effort is being made to see that this is included. Is this satisfactory?

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

Mr. Mackinnon: Yes Mr. Speaker, and I also have a couple of supplementary questions. Does the Commissioner anticipate the maintenance going out on tender, public tender?

Mr. Commissioner: Well Mr. Speaker, this would be a matter for advice from my Engineering Department and I have had no prior indication that this would be done but I would certainly not rule this out if this was to be an economic or practical situation.

Mr. Speaker: Any further questions?

Mr. Boyd: I have a question to direct to Commissioner Smith. You have intimated that something is going to be done concerning the handling of the affairs of our land in this Yukon. Did you mean by that that motions submitted in the past will be considered and looked into and that something will be forthcoming on things that have been proposed at sessions at this Council table and yet have been ignored up to the present moment.

Mr. Commissioner: In anser to the Councillor's question Mr. Speaker, I am not entirely up to date on all the motions and requests that have been made through Council in connection with the land for sale and attendant problems. However, I am aware of the overall problems and at the present time the people in my Administration who are working on this are working on practical suggestions and practical means of moving the land functions here to the center here of the Territory. And I am hoping to get these to my Minister as soon as possible and securing the necessary approval, permission, and direction in this regard. It is the Minister's wish, as I intimated in my opening speech to have this done and we are doing everything in our power at this end to get the necessary information and the practical application of this attended to promptly.

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

Mr. Boyd: Yes it seems to say that we are entitled to get certain things done and when they have reached that stage with Ottawa then we will be able to deal with it intelligently from this end.

Mr. Speaker: A y further questions? If not we will proceed to the next item which is public bills and we have certain bills before us for a third reading. What is your pleasure?

BILLS

Mr. Taylor: Mr. Speaker in view of the time and the fact that we had intended on getting to work on the Main Supply Bill this morning. Unless any of these Bills are urgently required maybe they could be processed tomorrow.

Mr. Speaker: Is that agreed?

Mr. Taylor: Mr. Speaker I would therefore move that Mr. Speaker do now leave the chair and Council resolve itself into the Committee of a whole for the discussion of bills, memorandas, and sessional papers and as per the agenda.

Mr. Boyd: I second the motion.

Mr. Speaker: It has been moved by Councillor Taylor and seconded by Councillor Boyd that the Speaker do now leave his chair and Council resolve itself into Committee of a Whole for the discussion of Bills, memoranda, sessional papers, and agenda. Are you ready for the question? Are you agreed with the motion? The motion is carried and Mr. Taylor will take the chair in the committee of a whole.

Mr. Taylor: I will declare a short recess.

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BILL # 11

or had have Mr. Taylor: Gentlemen I will call this committee back to order and we are dealing with Bill #11, the supplementary estimates. We will proceed to Vote #1.

VOTE 1

Mr. Commissioner: Mr. Chairman, could I ask a question. Do the members of Council have advice from their own financial advisory committee in regards to this. How does your financial advisory committee communicate with Council?

Mr. Taylor: I believe that a report has been tabled.

Mr. Thompson: Could I just enlighten on that a little. Last year at the last session the financial advisory committee went to considerable lengths and spent considerable time in bringing forth a rather detailed report on the budget and the recommendations and observations were presented to Council with a total lack of any regard at all. The same procedure was continued and we went through the budget item by item and as far as I was concerned the amount of time and work that we had spend was for no good cause because there was no notice taken of the work and for this reason this year we have held off bringing in a report and as Mr. Speaker mentioned, the only reason that we are bringing in one is that there is a committee and there has to be some notice given that we in fact did sit but this is the extent of the report that is going to be tabled at this session.

Mr. Chairman: Gentlemen, just before we get started reading the Commissioner does have some answers to some of the questions raised this morning.

Mr. Commissioner: The absence of Councillor Southam, Mr. Chairman, as you are aware is that he is attending a meeting that is going on here in the building this morning with two representatives from the Resources Division of Northern Resources who are here investigating the economic aspects should the closure of U.K.H.M. proceed. The next thing I would like to report to you concerns the inquiry made shortly ago concerning C.P.A. We are advised verbally by the local C.P.A. office

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Mr. Commissioner continues......

that they know nothing of this possible departure from their normal service and they cannot concieve as to how this could be brought about as they are under contract to provide certain essential services. I will make sure that my office keeps on top of this question and if there is any possible or potential change I will see that Council is notified. Mr. Chairman, there was a question asked in Council concerning the administrative structure that prevails under the Fire Prevention Ordinance. I have this available and I would ask that I table this and have Mr. Clerk have copies made available to the. Council.

Mr. Chairman: Thank you Mr. Commissioner.

VOTE 1 BILL #11

Mr. Commissioner: Another question that was asked was concerning the procedures that are involved in the Low Cost Housing Program and the department involved has outlined this. I think this is quite clear and I have gone over this myself Mr. Chairman and I think it would be very valuable for each and every member to have a copy of this so that if he is asked questions by any of the people that he is coming in contact with he will be able to refer to this particular document. If this were not convenient I trust that they would get referred to the appropriate department in the Territorial government because we are most anxious to have the correct information in this regard provided. This is a very valuable program and one gentlemen that you will do everything in your power to assist the people asking you questions to get the proper answers.

Mr. Chairman: Thank you Mr. Commissioner. Gentlmen we will turn to Vote 1. Page 27. The first item is travel and living expenses. Are you clear on this gentlemen? The next item is stationery and office supplies. Are you clear? The next item is sessional indemnities. Mr. Boyd will you take the chair?

Mr. Taylor: Mr. Chairman I think that we have arrived at this section of our vote and I think it only fitting to rise at this time and say how disappointed I am that in considering the sessional indemnities for Councillors having been told that the increases levied to our supposed benefit to the Territory were substantial and would encourage people to run for Council and all this nonsense. When this was brought forward even I believed it myself but when you consider the implications of tax law, federal tax law, we find that indeed we are not much better off than we were before. I notice further down in the next item that we are to be charged also to the Canada Pension Plan and this seems to be a departure from the normal. I would personally like to see when and where we are required to pay this, but that is the next section of business. In sessional indemnities it was unfortunate that even though some discussion was held on this subject it was not had in Council. It was held informally but there was a formal recommendation made and this was not in my way of thinking logically considered. And I think that the members of the federal administration and members of parliament could not have given a close look to this increase from \$2,000 plus per diem to a straight \$5,000 a year because they too would have picked this up. I might say that I hope we can either see a substantial increase in our stipend. For my own part I would rather go back to the old system of \$2,000 per year with per diem. I think all considered, certainly as a Councillor from an outlying district we were better off then than we are today. It seems that this matter of stipend has got the public convinced that we are making nothing but money up here which indeed is not the case and these are my comments on it. I am sure that some of you will have comments too but I could not let this go by without stating my views.

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Mr. MacKinnon: Mr. Chairman, I just can't go along with Mr. VOTE l Taylor. I feel that we are getting every cent we are worth and this raise it to our benefit.

Mr. Taylor: Order.

Mr. MacKinnon: I would also at this time to mention that we have a rental of equipment for \$500.00. Can anybody enlighten Council to the value of this equipment that we are paying this for. Is this \$200.00 worth of equipment that we are paying rental on and if so I would suggest that we buy it.

Mr. Chairman: To whom do you address your question? Mr. Clerk.

Mr. Clerk: Mr. Chairman I would be forced to agree with Mr. MacKinnon if this wasn't merely a temporary measure. We already have two tape recorders of the type here which cost \$400 each and plans for the future are to have an entirely new recording system when we get into what we consider the proper Council Chambers. I wouldn't recommend buying more, we would then have four tape recorders to dispose of.

Mr. Chairman: Any further discussion?

Mr. Shaw: Mr. Chairman, to discuss this sessional indemnity business, Mr. MacKinnon may have a point. Of course a large section of the public have always felt that we get too much pay and we could go back to the federal level and say the same thing. I think without getting emotional about this matter of \$5,000 a year. If a Council member has no other form of making a living or if he doesn't care or is in a position that he doesn't have to earn a living in the normal way.

Mr. Chairman: Order gentlemen.

Mr. Shaw: The facts are that if a person makes a living in the normal fashion and say that he makes some \$5,000 a year. Now there are many people making less and there are many people making more but I will use that as a yardstick as a person's normal income and then you get this \$5,000. That is when it makes the increase, if it is an increase, in the amount of costs for a Councillor coming from another area when he has to pay his own expenses this isn't an increase at all although I can see where the public would be concerned. Why \$5,000 looks a great deal more than \$2,000. But like many other things it is relative to what is involved in expenditures and I can't see any great advantage to it even if it does sound like a lot and I would possibly say that if you analyze the situation a member of Council would be farther ahead.

Mr. Watt: With respect to this, I think that we could realize the raise if the administration here would co-operate with us. Everyday that I am here I have to get somebody to replace me in doing my own work and it costs me \$3.50 with all the auxillary expenses of hiring a man. So, everyday that we are here it is costing me roughly ten dollars a day to replace myself someplace else. If the administration would assist us in doing a job here and as good a job as fast as we can and as efficiently as we can it should cut down on our sessions. If we cut down on our sessions then I think not only will the Council benefit financially but also the Territorial government and also the taxpayer because they won't have as many people tied up, stenographers etc. tied up with Council. I may be wrong but I strongly suspect that this \$25 a day that we were getting had encouraged some people to carry on with great big conversations in Council and carry on the session. If we change the structure here and shorten the session then the Territorial Council will be better off and so will the taxpayers and the administration. We will have fewer manhours tied up around this point. I think that the administration is willing to help. In this session we have done a lot of work in a short time.

Mr. Chairman: Any further discussion on this item?

Mr. Taylor: Mr. Southam will you take the chair. Just before we conclude the discussion on this item I think it should be pointed out for the record that a Territorial Councillor is not just a Councillor here during the session. Be they long or be they short. A Territorial Councillor is a Councillor 365 days a year. It has been pointed out that those of us VOTE : who do represent what is known as the hinterland have an additional expense when we are in Whitehorse no matter how short or how long you have to live in a hotel and you have to purchase your meals. You must remember that to get around your constituency to meet the day to day problems that do develop and when you have communities two to three hundred miles apart to pay the bill for motor transportation, float aircraft, ski aircraft, etc. it is pretty expensive to communicate throughout an area in relation to the work you do in Council. Expanding great distances can be exceedingly expensive. Therefore I think it should be clearly understood when considering the problem that this is a prime factor for consideration and I just wanted to inject this. A Councillor is not just a Councillor only at this table. He is a Councillor 365 days a year and it puts a financial burden on a Councillor who is doing his business in these cutlying countries, it means you must subsidize yourself very very substantially. Thank you Mr. Boyd. Is there any further discussion on this item?

Mr. Thompson: Mr. Chairman, am I to understand from your remarks that no living allowance is forthcoming while a Territorial Councillor from the hinterlands is in Whitehorse while the session is in progress.

Mr. Chairman: In speaking from the chair this is quite correct, there is no living allowance.

Mr. Thompson: I realize that the per diem allowance is gone but there is still no allowance whatsoever? Is this correct Mr. MacKenzie?

Mr. MacKenzie: That is correct.

Mr. Shaw: There is a travel allowance for travelling from our home to Whitehorse so where Councillor Watt was saying that he had to pay ten dollars a day for someone to take his place. On top of that we have to pay our living **xpen***** in hotels, meals in restaurants, etc.

Mr. Chairman: At this time gentlemen I will call a short recess to change stenographers.

RECESS

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Wednesday, November 16, 1966. 11:00 a.m.

Mr. Chairman: I will now call Committee back to order. Is VOTE 1 there any further discussion on Sessional Indemnities? The next item is Canada Pension Plan, \$604.00. May I ask a question from the Chair which I would direct to Mr. Treasurer. Is there anything in the Canada Pension Act that does insist that ourselves, as legislators, must pay this?

Mr. MacKenzie: As to that, I can't say. My recollection is that we were directed to make this charge by the Canada Pension authorities.

Mr. Chairman: Would Mr. Treasurer do me the service of attempting to find out whereby I must pay this as an individual Member?

Mr. MacKenzie: Yes, I will be glad to.

Mr. Chairman: Any further discussion?

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Mr. Shaw: Not except that every person must pay it that makes over \$800...\$600 to \$800.

Mr. Chairman: This, gentlemen, gives us a total of \$22,278. Any further questions in relation to the Yukon Council?

Mr. Shaw: I just can't get...we spend \$7,000 for Living and Travelling Expenses out of a budget provided of \$16,000 and we only get \$526 credit.

Mr. MacKenzie: We provided \$13,125 for this Living Expense Allowance of \$25 per day and that allowance ceased on June 15, so we have to take from the total provision of \$13,125 the amount which we actually spent which was \$7,775. We have an over provision there of \$5,350 which is offset by an increase in Living Allowance of \$4,620.

Mr. Chairman: Are we clear on Yukon Council Vote 1?

Mr. MacKinnon: Not exactly, Mr. Chairman. I note here that the Advisory Committee, at the rate of \$300 per calendar year (Amendment to the Yukon Act Bill C-147). It states that the Members will be paid \$162.50 each. I felt that this was not applicable at this time. Am I correct...after the passing of the new Bill?

Mr. Commissioner: Mr. Chairman, that is where we are directed to pay this.

Mr. MacKenzie: I would say that this is perfectly correct. E SEPTEMBER

Mr. MacKinnon: Mr. Chairman, will this continue? Will the Advisory Committee continue to get \$300 per year, plus their annual salary?

Mr. Commissioner: That is correct.

hairmans in the contract of th Mr. Shaw: Mr. Chairman, just as a matter of curiosity, will this be that the Members of Council now will be paid their indemnity at the end of every quarter? Is that correct? MacKenzie: That is correct, Mr. Chairman.

Mr. MacKenzie: That is correct, Mr. Chairman.

VOTE 1 Mr. Shaw: Apparently then, we have missed a quarter.

Mr. Commissioner: Mr. Chairman, as soon as you see fit to pass this Bill, you will get your pay.

Mr. MacKenzie: The cheque requisitions are prepared and on my desk for the quarter ending September 30 and also for the last two weeks in June. As soon as the Bill is passed, as the Commissioner says, the cheques will be issued.

Mr. Chairman: One further question from the Chair which I would direct to Mr. Commissioner. In view of the very small space available and in view of the remarks made the other day respecting the moving of the Yukon Council from these Chambers to another Council's Chambers, has consideration been given to remaining in our first quarters until such time as proper Council Chambers have been provided?

Mr. Commissioner: Mr. Chairman, I am sorry. That is about the last thing that I have had any time to look into in the past few weeks and I am afraid I am in no position, Mr. Chairman, to give you any indication at the present time what will be done.

Mr. Chairman: auts there anything further in Vote 1.

Mr. Thompson: Just one thing, Mr. Chairman and this goes back to Mr. Mackinnon's query on these tape recorders. We in the Financial Advisory Committee came to the same conclusion. There was an item in the Main Estimates for \$950 for the purchase of two and I am wondering whether Mr. Clerk did in fact purchase two, and if we purchased two, then why are we renting two more, or did we not purchase two, and if so, do we still have \$950 left in this Vote.

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Mr. Clerk: Mr. Chairman, the \$950 was put in there quite some time ago. These Estimates were prepared almost a year ago if you will recall and at that time we didn't know of the proposed move from the building and we did, as the Councillors suggested would be the proper thing to do, plan to buy two more tape recorders because we always rented two. Then, when the proposed move came along, we decided we wouldn't buy the two. We would rent them until we knew exactly where we were going. The money is still outstanding in Vote 20 and it has not and will not be spent this year.. the \$950.

Mr. Shaw: Mr. Chairman, tape recorders are a very portable piece of equipment. What difference does it make where we move...if we get down in the basement or down in the janitor's quarters? We have the tape recorders. Why do we have to rent them?

Mr. Clerk: Mr. Chairman, we only need...as I said we were planning on buying two more because we need four to conduct the Council proceedings, but with the move, we are going to invest in a much more efficient recording system in which we will not be using the tape recorder up here. We aren't sure exactly what we are going to do yet. We are holding fire on any purchases at all until we find out exactly what we are going to do. We do look forward to every Councillor having a separate desk with a microphone on each desk and a central recording system. As I say, we don't know exactly what is going to take place and we're not buying a tape recorder until we do know.

Mr. Chairman: Is there any further discussion on Vote No. 1, VOTE 1 Yukon Council? Late Process

All: Clear.

Mr. Chairman: We shall proceed to Vote No. 2, gentlemen, VOTE 2 Territorial Treasurer and Collector of Taxes. The first item is Salaries and Wages in the amount of \$41,510. Travel and Living Expense, \$642. Advertising, \$230. Next is Employees Superannuation Fund, a deduction of \$360.58. Death Benefit, \$85. Surgical-Medical Insurance, \$705. Canada Pension Plan, \$2,851.20, giving up a total Supplementary Estimate for the Territorial Treasurer and Collector of Taxes of

Mr. Shaw: Mr. Chairman, I notice there is a considerable increase in Salaries. Would this increase be due to the preparation of the Five Year Agreement?

Mr. MacKenzie: The major factor here, Mr. Chairman, is the activity of the Salary and Wage Commission that was here early in the Spring. They made several recommendations and some of these have now been implemented. I must also say that a considerable amount of money has been spent on the preparation of estimates for the next five years. How much, I couldn't tell you.

Mr. Shaw: I think a year or two ago Council did start and put forth various proposals as to mechanization of the office by electronic computers, business machines and so on. In the ensuing year or so, has any action been taken in this respect? Have new efficiency machines been introduced?

Mr. MacKenzie: Mr. Chairman, action has been taken. The position has been examined by a representative of the National Cash Register company and by a representative of IBM. Both of them speak against installing a computer here. We are not large enough to require one and National Cash Register feel that the mechanized accounting system we have now is perfectly satisfactory for our needs for the next couple of years at least.

Mr. Shaw: I was just wondering, Mr. Chairman, because I notice the accounts of the Territorial Treasurer's Department are still going out written in longhand. When I get these from other firms I deal with is seems to be from automatic deals, copies and so on of invoices and I wondered if there had been any change in view of this?

Mr. MacKenzie: Possibly, Mr. Chairman, Mr. Shaw is referring to some section of Treasury which is not mechanized yet. I am not personally aware of anything going out in longhand at all. I am really surprised to hear this, but progress is being made for the mechanization of the entire Treasury system.

Mr. Thompson: Mr. Chairman, I would just like to make one or two observations. Firstly, I think that the majority of us around the table have our time fairly well contracted to various personal or business matters and I am wondering, inasmuch as we are entirely dependent on the Treasury Department, and in essence the Territorial Treasurer, that some arrangement or some possible manner be affected whereby firm dates could be set for the Spring and Fall Session of Council. At the

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VOTE 2

Mr. Thompson continues: moment, we find ourselves in the middle of November, which to me is tantamount on a winter session and not a fall I realize there are some difficulties in getting the necessary information, but I also would suggest that with the number of people on the Territorial Treasury staff that some firm policy or arrangement could be forthcoming whereby we would know now when the Spring Session is to commence and the Administration also know this and that the necessary facts, figures, booklets and what not could be prepared and ready for presentation. The present situation, whereby we are not going to Ottawa on the Five Year Agreement now, is another aspect. We have known that the Five Year Agreement was coming up for some considerable time and here again we are at the mercy of not only the Treasurer but Ottawa. I wouldn't say this is entirely the Treasury Department's fault but I think that some of these discrepancies could be corrected, and I feel that if we knew now when Spring Session was to commence that all of us would be in a better position to have matters in order personally and I think we would find we would have a much more efficient organization.

Mr. Commissioner: Mr. Chairman, could I say something in this particular regard? I concur very heartily in what has been suggested and I think the Administration would very very dearly like to be in the same position ... that there was a definite fixed time, first Monday in October, or the second Thursday, or something of this nature and then, come spring, some date certain when Council would be called into the Session. I don't think that there should be any better thing that we should try and work to and as far as the Administration is concerned, and I speak on their behalf right now, we would be very warm harmand. now, we would be very, very happy and anxious to work towards this end, however, there are a lot of things that are involved over which we do not have control of in the Administration, and at the present time, gentlemen, the pressure of work and the amount of detail that our local Treasury and all other Departments for that matter, gentlemen, have been called upon to supply to the senior Government in Ottawa and the compiling of this Agreement, is simply beyond any comprehension. We have no alternative but to supply this information and this is, no doubt, a reason that possibly your Fall Session was a little later in being called. It is a reason right now that I couldn't even predict when the Spring Session will be held because we have to have a firm commitment from Ottawa as to the form, or the guide lines, within which we are going to be able to construct our 1966... 1967-68 budget...before we can call you into the Spring Session. Until those firm guide lines are established, gentlemen, you can have computers, you can have IBM specialists, you can have all the geniuses that you want and you can construct nothing until you have that formula, the confines within which we must construct that budget. Mr. Chairman, I want to make it very very clear to you that I concur one hundred percent with what Councillor Thompson has suggested here. I am sure that it would be a very highly desirable situation as far as you Members of Council are concerned. It is very desirable from the Administration's point of view and I would be very happy to say that we will work towards this end. How quickly we can bring this about, gentlemen, I cannot say. One thing that will help us tremendously will be once we have the package wrapped up for the pattern of our financial commitments for the five years starting April 1, 1967. This will assist us tremendously. You have my personal assurance, gentlemen. I would be very happy to have my Administration work with you towards that point where we can have a definitely stipulated time as to when Council will be called in the fall and in the spring.

Mr. Thompson: Thank you, Mr. Commissioner. What you are saying in fact then is that we will not have any indication as to when the Spring Session will be until such time as the Council has been to Ottawa to discuss the Five Year Agreement? Is this in essence....

VOTE 2

Mr. Commissioner: Mr. Chairman, in essence this is what I am telling you because there is no one of us around this table who can advise you as to what the general scope of our fiscal agreement will be. We are in a position here at the local Administrative level that we cannot even call upon our various department heads to construct their budgetary requirements for next year until we can give them the guide lines in which they are going to have to work. This is no fault of anyone in this building. I want to make this very, very clear.

Mr. Chairman, I can appreciate the remarks that have just been made, particularly the matter that Councillor Thompson brought out. For the past number of years, I have spoke to the various Commissioners on very much of the same thing, that we should have a set time for Council, both in Spring and in Fall, and if something should come up of an emergent nature, why the Session could always be called. I think it is indicative of the way things work by the fact that the Treasury Department has gone to the trouble of getting reservations for us to go to Ottawa a month ago in all good faith that...this was the way it was going to be so when the representations were made by the Territorial Government apparently that it didn't suit somebody in Ottawa so that had to come back and be revised. I appreciate that this must be a tremendous job and a tremendous responsibility for a man to come up with, from thin air, matters that will be sensible five years from now. It would appear to me, Mr. Chairman, that it doesn't matter how much effort is put in by local Administration that things will be ever thus as far as the sitting of Council is concerned. A good illustration, I think, is that we have noticed over the years....certain Bills in relation to matters of quite some importance...two or three that I can remember right off hand...a certain one in relation to the Labour Provisions Ordinance. We have been trying to get that I think for about three years. It hasn't When we appear at a Council Session, we have "x" number of bills and all of a sudden it seems that someone puts a fire under someone in Ottawa because that's where they must emanate from...they won't allow them to emanate elsewhere..if they can possibly help it...and they'll start soming in. I am expecting a bill about this thick at any time now on something or other to come just about when we're ready to prorogue Council. We have no business and all of a sudden, bang! this bill will come. It's really indefinite but under the system we have, I can't see where we can do anything about it. The local Administration has my sympathy, also the Members of Council who don't know when they are coming and when they are going.

Mr. Watt: Mr. Chairman, I agree with Councillor Thompson but I would just like to add one thing. Would the Administration kindly let us know when they do set a date. One of my former sources of information....Ken Mackinnon, a former Territorial Councillor....he's been letting me know the past couple of years whenever we're going to Ottawa or something like that.. has gone. I feel kind of foolish walking along the street and somebody telling me "You're going to Ottawa on such and such a date". This hasn't happened once or twice. I have been told when we're going to go into Session and when we're not going to go into Session. The cate has been changed, I have been told. It doesn't come from the Commissioner's office or the Federal Building. It somes from a constituent

VOTE 2 Mr. Watt continues:
on the street. I look pretty foolish when I say, "Oh, is
that a fact?" They get the impression that I am no where
around when this information is being given out. So, if
you set a date, would you kindly let the Territorial Coun-

you set a date, would you kindly let the Territorial Coucillors know among the first. It would make us feel a little bit better.

Mr. Commissioner: Mr. Chairman, this comes as a very great surprise to me. When I sat on the Council here a few years ago, why, we were always mailed a letter and told when Council was going to meet. Does this procedure no longer prevail, Mr. Chairman?

Mr. Shaw: Well, it does prevail in a sense, but I think this is the way it has worked. I was notified in lots of time this time but the Session before...or the Session before that...I heard over the radio that Council was going to meet at such and such a time. The people say, "Well, you're going to Council at such and such a time". "Well, I am sorry. don't know anything about it". What happens is...it's quite simple to understand....the Commissioner proclaimed this on the Friday, or it might have been the Thursday, and of course the Territorial Secretary instructed that Council be duly notified. So, the Territorial Secretary then contacts, I assume, the gestetner operator and says "Crank this notice out and send one to every Member of Council". So, they are very efficient there so I guess the gestetner operator goes and cranks out this notice and it is duly put in the mail. In Dawson City, I will get that about Wednesday. Now, I don't know how the service is in other places, depends on how these things operate. In the meantime, on Friday night, it's over News of the North so it would appear that that's the way it works. It's just the procedure. That's the way we do it, and I think possibly the Clerk might co-operate in that particular matter.

Mr. Clerk: Mr. Chairman, the only thing I can say to that is that there was considerable confusion as to the commencement date of this Session, and there was a lot of guess work done. The members of the press got word that Council had been tentatively set for a certain date but were awaiting approval from Ottawa. They went ahead and published a notice in the paper, stating very clearly in the paper that it was a tentative date and approval was still being awaited from Ottawa. Most people that read the newspaper, including some Members of the Administration, didn't read the words that approval was still being awaited and everybody assumed that this date had been set which wasn't the case. When the date was finally set, it just luckily turned out to be the same date that everybody had guessed. This was a mere coincidence that they happened to be right. It could have been changed. That's what happened the last Session but in all previous Sessions, the first persons that are notified are the Councillors. It has been the same since I came into this Chamber.

Mr. Commissioner: Mr. Chairman, you have my assurance that as soon as there is a firm date, you will certainly be notified right away.

Mr. Southam takes the Chair.

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Mr. Taylor: Mr. Chairman, just to get my two cents worth in here, I think that Councillor Thompson has raised a very good point and also Councillor Watt because, in the first instance, by setting a firm date... I think that as long as I have been in Council, we have had our Fall Session, or what we term our Fall Session, the very first week in Novem-In other words, we have always been here just prior to Armistice Day, but it has never been stipulated that it be this specific date. The Spring Session, as we know it, has always opened the very early part of March. It seems that this is the way it generally works out, however, it has not been stipulated that it work out that way. I think it's important...especially to....well, to all Members...that they can program their own personal work in order to, you know, make plans and...just whatever the situation may be.
Councillor Watt raises a good point that for the last couple of Sessions, the Press seems to be getting this information and if you don't read the newspaper, you generally hear it from a constituent. I know in the case of the Council Session we are now attending, I didn't know about it until I heard about it from various people on the street...not having read the paper, or the particular paper that it was in, I didn't know when we were going to Ottawa at all until I got the ticket. I opened the ticket up and deciphered the whole thing and the little schedule of arrangements that was attached to it. That's the first I knew about what date we were going. So it would help in planning our private lives to have this information well in advance. Just another point, too, which probably relates back to the duties of a Councillor. It is interesting to note that this year at least three Councillors will lose six months of their private life in being a Councillor because he comes in in November and sits possibly into December, and then you are faced with Christmas, then you have the balance of what is left of December. We go to Ottawa in January so that pretty well kills January. The Financial Advisory Committee sit and return to Ottawa in February and very likely we sit in early March through April and when all is considered, the Councillor has lost six months of his time which normally would be spent in carrying out his private business and this kind of thing.

Mr. Boyd: Mr. Chairman, I don't know what the Councillor is complaining about. He has had one of his countrymen inform him that, including all of us, that we are getting paid all we're worth so what are you complaining about?

Mr. MacKinnon: Mr. Chairman, I would just like to mention at this time that if the Administration do consider setting a firm date for Council Session that they will take into consideration that the work season should be completed and I, personally, do like to see the Session start after the first of November and not in October because our work season is not quite finished. You still have wood to get in for the winter and things of this nature and I think it is very important to hold the Session at as late a date as possible.

Mr. Taylor resumes the Chair.

Mr. Chairman: Gentlemen, are there any further questions on Vote 2?

All: Clear.

VOTE 3 Mr. Chairman: We will proceed to Vote 3. This is the Department of Education. Gentlemen, in view of the fact that we are going to be making a tour at one o'clock, I wonder if you would agree that we should recess at this time. In view of the fact that we will have a gentleman with us at two o'clock, there would be a break in this vote. Would you agree that we recess at this time?

All: Agreed.

Mr. Chairman: I will, therefore, recess Committee until two o'clock this afternoon or whenever we return.

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Thursday, November 16, 1966. 2:30 p.m.

Mr. Chairman: Gentlemen, I will now call Committee back to order. I believe I have been informed by Mr. Clerk that there are some papers to be tabled for our afternoon's agenda.

Moved by Councillor Boyd, seconded by Councillor Southam, that the Speaker do now resume the Chair.

MOTION CARRIED

MOTION

Mr. Speaker: I will now call this Council to order. We have some Sessional Papers that I believe require introduction and tabling at this time. Would you please read the papers, Mr. Clerk.

SESSIONAL Mr. Clerk: I have three Sessional Papers, Mr. Speaker. One PAPERS is Sessional Paper No. 33, dated November 15, concerning an Ordinance respecting the Public Service of the Yukon Territory. I have Sessional Paper No. 34 which is a document #34 which was read to Council yesterday. It is on the disposition of fines under the Liquor Ordinance. Sessional Paper No. 35, dated November 15, is on the Final Salary #35 Adjustment, 1966-67, for the Yukon Territorial Government. That's all, Mr. Speaker.

Mr. Speaker: What is your pleasure, gentlemen, at this

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

MOTION CARRIED

MOTION CARRIED

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

Mr. Chairman: Mr. Clerk, I wonder if you could ascertain if Mr. Ritchie would be available for discussion now.

Mr. Clerk: I notified the Commissioner that you were just about ready to commence. I presume that he will be here in a few minutes.

Mr. Chairman: In that case, I will call a short recess.

Mr. Chairman: I will now call the Committee to order. We SESSIONAL have with us Mr. Ritchie, Deputy Personnel Supervisor, PAPER #33 Department of Indian Affairs and Northern Development; Mr. K. Fleming, Administrative Assistant to the Commissioner; and Mr. Commissioner, for the purpose of discussing matters relating to Sessional Paper No. 33, a proposed Ordinance respecting the Public Service of the Yukon Territory. (Reads Sessional Paper No. 33). Mr. Commissioner, I wonder if you could kick this off and outline to us just what should be done here and in what manner.

SESSIONAL PAPER #33

Mr. Commissioner: Yes, Mr. Chairman, if I may be permitted to say a word in this regard. You were given some background and a presentation in connection with this matter at your Session earlier this year, I believe. Is that not correct, Mr. Fleming?

Mr. Fleming: That is right.

Mr. Commissioner: And at that time, you had Mr. Ritchie here to assist in answering questions. A certain amount of basic work has been done in regard to giving effect to improvements and dealing with our Public Service employees. At the present time, we have a study going on in connection with the proper categorizing and rating of people and the position they occupy so that we get away from anomalies of one person doing one job in one office and finding that two or three desks away, someone is doing a similar job under entirely different terms and conditions. Also, we are doing a certain amount of internal re-organization to bring our Administrative setup into some kind of a comprehensive program, or comprehensive manner of functioning, so that we get away from eighteen, nineteen, or twenty people being directly responsible to the Commissioner and his immediate Administrative people, and the thinking that we need now, gentlemen, to bring this package into reality is a revised and up-to-date Public Service Ordinance that reflects the conditions that we hire people under in 1966. Before you you have the basic principles enumerated here - seven of them that we would like to discuss with Council now and answer any questions they may have with the thought in mind that Council will see fit to give their approval in principle to them and these are the principles that will be embodied in the new Public Service Ordinance. By the way, the Public Service Ordinance is Chapter 94, Page 1064, Revised Ordinances of the Territory. I am in no position to say when this Ordinance last had a complete revision, but it certainly wasn't in recent years. Now, if there are any questions that I can personally answer for you on this, I would be very happy to do so. Also, Mr. Ritchie is here to assist in giving you background on it. My Administrative Assistant, Mr. Fleming, is also present. He is the man who has done a considerable amount of the spade work in this report. Gentlemen, we are at your service to assist you in any way we can.

Mr. Chairman: Thank you, Mr. Commissioner. I think, gentlemen, in order to keep this orderly, we should possibly take these items for consideration one by one, dealing with each one as we go. With your concurrence, I would propose we do that.

Mr. Shaw: There is just one question. Is it the intention, Mr. Chairman, for the Administration to present a complete brand new Ordinance to take the place of the one we have, Chapter 94, or is it the intention to revise this, or are we going to have a completely revised Ordinance?

Mr. Commissioner: Mr. Chairman, it is our hope that we can have a complete new Ordinance. We are not entirely satisfied that the provisions of the present Ordinance will fill the pattern completely. If it is found that it will fill the pattern, we will simply stick to revisions but it is certainly not our present thinking that anything less than a complete new Ordinance is going to do the job.

Mr. Chairman: We will proceed then, gentlemen, with Point No. 1, Organization of the Public Service.

SESSIONAL PAPER #33

Mr. Thompson: Mr. Chairman, I would just like to...in reading No. 1, it says that "One of the most important clauses of the proposed legislation is to make provision so that the Public Service may be organized in such a manner as to efficiently utilize the available manpower", etc. This, in effect, is saying that the present Ordinance does not do this. Am I correct in this assumption?

Mr. Commissioner: Mr. Chairman, I think to fully give you the inefficiencies or deficiencies in that regard, could I ask Mr. Ritchie to answer this question.

Mr. Ritchie: Mr. Chairman, with your old Ordinance, you can do certain actions in regard to organization, but you don't have the complete freedom to look at your Service as a whole. This is the interpretation that has been put on it and really take your manpower and utilize it to the very best of your ability. In this type of Ordinance, or this type of legislation, we must have the freedom to move that if you, say, take on a new function, that you are not forced into a position where you are in effect creating another department where maybe half of the function is already being done or there are people who can do it. You must move quite fast in the field of organization and not, if you like, add a whole new department. In your present Ordinance, it is much simpler, if I may put it that way, to form another department than to work your way around the thing. I don't know if that fully answers your question, Mr. Chairman.

Mr. Thompson: This, in effect, is what you are doing. You are organizing, or you are setting up, an entirely new department to put this program into operation by hiring a Director of Classifications, Personnel, and so on and so forth, aren't you, rather than having it looked after as previously by Administration?

Mr. Ritchie: The organization here does not apply to Personnel alone. It applies to the total organization of your Public Service. This would include everything you have in existence today, to combine, re-organize, move around, whatever would give you the best out of your manpower. In the personnel organization, I think probably the Commissioner could answer the question that I believe you are getting at.

Mr. Commissioner: Mr. Chairman, the requirements of people to do personnel work are very real. It has been presented to Council here previously that possibly the organization of a complete and new Department of Personnel might be a desirable situation, and, Mr. Chairman, I believe this is the suggestion to which the Councillor is referring. Our thoughts at the present time are that we are going to have to have people who are directly involved in Personnel work but we do not feel, at least for the present, we are going to have to organize a whole new department, complete administrative setup and functions, etc., to deal with this problem.

Mr. Shaw: Mr. Chairman, I was of the understanding that we do have a Department of Personnel...at least we did have for a month. It seems to me that we approved money last spring to hire a Director, or Superintendent, and a stenographer. What happened? Isn't this Department now in operation?

SESSIONAL PAPER #33

Mr. Commissioner: Mr. Chairman, we are in effect operating the Department, but it is being done in a manner that we feel to be very efficient and economical and we are also quite satisfied with the manner in which it is working and, Mr. Chairman, I would ask Mr. Fleming, with your permission, if I could have him describe the manner with which this is being dealt with at the present time.

Mr. Fleming: As you know, the last time I appeared here, we didn't have a Personnel Director and at that time the Personnel Department...it isn't strictly a Department...I don't think we should get carried away with the idea that we have hundreds of people employed in this section...but this is a section which comes under me and for the total period since I have been here, it has remained with me, even during the very, very short period when we had a Director of Personnel. He wasn't here long enough to take the full burden away from me. He departed very quickly and the whole thing came right back again. If you remember, at the pre-vious discussion we had on this, I made it quite clear at that time that pay and classifications was the key to the whole personnel problem in the Yukon Territorial Government and that still applies. We have been extremely fortunate in getting a young man who is extremely well versed in this particular field, and the Commissioner and I both agree that we would be far better off with this type of an employee rather than a Director at this time. So, I have continued to function as the Director. It means that other work that I should be doing is having to suffer but first things come first and this is of utmost priority to the Government and I think this is what we should do. I can continue to function with this young man and with the rest of the Department. The other people that are in it, with the exception of one stenographer, are people who have been reassigned so there hasn't been a big build up in staff. There hasn't been a big build up in payroll and this is how the situation remains at the moment and as far as we know, this is the way it will remain for some time to come. We are not anticipating hiring another director at this time.

Mr. Commissioner: Does this satisfactorily answer the Councillor's question, Mr. Chairman?

Mr. Shaw: That would mean then, Mr. Chairman, that perhaps this Department of Personnel would be absorbed in...would be a fraction of some other Department.

Mr. Commissioner: This is entirely correct, Councillor Shaw.

Mr. Southam: It seems to me that what is needed here is just a matter of a chart of straight line organization and, as you know, organization delegates your authority, your job that you are supposed to do and we can delegate part of your job to... and so on down the line. It would appear to me that this can be absorbed by the different Department Heads that are in this said organization of the Territorial Government and probably that you do not need a Director of Personnel at this present moment. I think a lot of misunderstanding has come about... it's the same as in business or...whatever business you are in...that people have a job to do but they do not know how much authority they've got, where they finish, where they start, and so on down the line and this creates misunderstanding all along the line...who to go to...where to go..and so

Mr. Southam continues: on, and this is my thinking at the present moment, that this is probably...one of the first things that should be done is a chart of line organization to show you where you get off and where you start. SESSIONAL PAPER #33

Mr. Chairman: Anything further on the organization of the Public Service Ordinance, gentlemen?

Mr. Thompson: Mr. Chairman, I am just wondering, in going through this paper, whether this is probably the best method. The Commissioner has intimated that an entirely new Ordinance is going to be presented. I would think that if there were specific questions or problems that the Administration are confronted with at this time, to conceivably ask direction on, but if we are going to have an entirely new Ordinance, we are going to have to go through it at that time and this would mean a duplication. I am just wondering if there is anything specific or whether we could approach it in this manner.

Mr. Commissioner: Mr. Chairman, the specifics are general on this paper and we would like to feel that Council understands the seven points as enumerated here is the principles or framework in which we intend to construct this new Ordinance if this is found necessary or amend the old one if it will do the job. As I said before, I think a new Ordinance would be the answer but we wish to take this opportunity, particularly when we have Mr. Ritchie here, to come before you and discuss in length, or in brief, as Council wishes, the situation as we have presented it.

Mr. Chairman: Speaking from the Chair, it is noted...I think Councillor Thompson has a good point. Under sub l it states one of the most important clauses of the proposed legislation is to make provision for this, but I think his point is that it isn't specific about what type of an organization we are necessarily going to be dealing with or have to agree upon.

Mr. Boyd: This is the first time, I think...that usually when it's a Bill to be brought to Council, it usually shows up in front of us and the Explanatory Notes are there. is a little different procedure, which I appreciate, but we had a Personnel Department and we were given a great blow on this Personnel Department, and the terms of reference...the importance of it and everything else...to read that, you would think that our troubles were all in a basket, all over. They were going to take care of it in nothing flat. One of them was, as I remember quite well, was they were going to look after the grievances and complaints. They were going to deal with personnel. They were going to...the whole issue started off to be one man, a man with capabilities that were described...really could not exist, but they expected us to take this. I am wondering now....are we talking about a new Department further than this Personnel Department? Is there going to be a big one? Is this new Department going to set policy and look after the staff? What change in the present method does it make with regards to filing records, data, and so on other than what we already have in existence? This is very vague and it's all necessary. Maybe it's not in effect now but I think it is in effect now in a way, somewhere along the line. It seems to me that Administration has got an idea SESSIONAL PAPER #33 Mr. Boyd continues:

they want to possibly improve or enlarge and go to a new department of some kind, and I can see they should have something, but will this take out the Personnel Department is one question I have, or how many more will it add to our staff and so on? This is what I would like to know.

Mr. Ritchie: This would be a section of your Public Service Ordinance that would provide for the organization of your total Public Service. It does not refer to a specific organization, the Personnel Department, or the Engineering Department, or the Welfare Department. It may well result in the decreasing of the number of departments that you have, by combining, by grouping together. It could affect the Welfare Department, the Education Department, the Engineering Department, or any other department that you have today and combine some of these things into one so that you end up with maybe a lot less departments than you have. It does not provide for the specific organization of a Personnel Department. It is not intended to. It provides legislation that will allow you to organize your Public Service.

Mr. Boyd: Are you saying that by having this legislation we will be able to lessen the departments? liste distillation of the con-

Mr. Ritchie: I would hope so. - Ebro year

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niku si syyangan m<mark>e</mark> Mr. Boyd: Well, is this the intention of it. Put it that where way. "Issit the intention that this will do this? Is this Table why we are doing it? CARRO RECORD BLOCK

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Mr. Ritchie: The intent is to provide legislation that were next allows you to organize it whatever way you as Councillors and the second see fit.

vilasas <u>i</u>t Mr. Boyd: One more question. Do we have to have this legislation in order to minimumize the things that you are talking about? Can't we do it within ourselves? Aren't we bosses of our own Territory..our own organization? Do we have to change what is already in existence in order to economize?

Mr. Ritchie: You require a revision to your Public Service Ordinance. The organization comes under the Ordinance, and you must make some provision in there that allows you to do these things. This is how you hire people in the Public Service...how you put them to work. This is a Public Service Ordinance. You have no other authority but it. Your present Ordinance creates certain problems in Administration.

Mr. Thompson: Could I ask specifically what problems this present Ordinance creates?

gron and Mr. Ritchie: One that is probably a very major one is that the way it is written the Commissioner should do everything himself. There is no provision in this Ordinance for delegation. Any that is given is, in effect, given illegally, but he should act in every singles thing that is done with regard to people and he just can't. You have approximately six hundred people now. You will be taking on probably approximately another three, four hundred if you take over the Highway System. A ordea spins 1 1900 60

Mr. Thompson: Well, Mr. Chairman, this would entail an Amendment of four words "Or his authorized delegate".

Mr. Ritchie: Well, there are others I feel, and the Admini SESSION L stration, your Commissioner, feels with me that there should PAPER #33 be a preference in the appointment of people..that you should give the preference to your own Service and then to residents of the Yukon Territory before you go outside. There is another area. The point here is that you need a number of amendments to the Ordinance and now would be a good time to put it all before you...to take your Ordinance and group it. It refers to pay in several different places. Bring all the references to pay together and clarify it. I understand that there are problems in the interpretation of the sections referring to now sections referring to pay.

Mr. Shaw: Mr. Chairman, I am of the opinion that if you are going to do something, the only thing to do in a case like this is possibly scratch this particular Ordinance that we have and get a new one that fits in with modern day. I believe, I don't know if it's so or not...but there are jobs in certain departments that are identical..but it all depends on what Department you are working in...so they are jumping around like a bunch of jack rabbits from one department to another because the jobs have better pay. Personally, I think that most of the categories. I am not. a very small operator...but possibly you have covered all the various sections that you need but nonetheless, it's very general. It's extremely general to get down and study what might be proposed because it does appear to me that it is very obvious that there will be things, matters that will come up in our new Ordinance that are not even mentioned in this one and would probably have some far reaching effects. It would appear to me, as far as I am concerned, that if it is found necessary to have this, it would certainly have my blessing but the meat of what will come of it will be shown in the Ordinance and until we get to the details of the situation, it's somewhat vague...unless I was a person who understood all the facets of this. It would be necessary to have an Ordinance say next Spring before one can really pass too many comments.

Mr. Southam takes the Chair.

Mr. Taylor: Mr. Chairman, in considering this, as I glance at the paper, the first specific suggestion that I find is way down in 3, under "Appointment of persons to the Public Service". Preference in appointment would be given first to qualified employees of the Public Service of the Yukon Territorial Government and then, I believe, to residents of the Yukon Territory. I think this is where the problem lies and that is there is nothing specific here upon which we can usefully deal with. If we had it as we had the Labour Ordinance...which seems to be getting nowheres...they came to us at one time and said "Do you wish to have this? Do you wish to specifically allow that? Do you believe in Collective Bargaining? Do you believe in this?" and I think we got past the first page...and that thing dropped dead too. In any event, I think this is what everybody is getting at. We have to have something more specific..something we can get our teeth into. Here we have an assortment of seven statements stating that it would be desirable to have something general.

Mr. Thompson: Mr. Chairman, further to this, could I ask Mr. Fleming...it says "Preference in appointment would be

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Mr. Thompson continues: given first to qualified employees of the Public Service of the Government and then to residents of the Yukon Territory and eventually outside". Isn't this the practice now?

Mr. Fleming: No. This isn't necessarily so at all. Furthermore, the present setup is quite cumbersome. We may have to our knowledge a certain person on our staff who is fully qualified, completely qualified, to fill a vacancy. Under our present rules and regulations, we cannot even offer that position to that person until we spend public monies going through competitions. This is somewhat ridiculous if we have the person already there. Furthermore, we may have to run through three competitions that will fill one from the known source of good supply right in our own ranks and then we have to fill that vacancy that is left by him moving up and then we have to go back and fill the third vacancy when we could have filled two vacancies on merit and advertise one vacancy. We have to advertise three vacancies. This is the sort of thing that we are tied to on this. would say that any Province or anywhere else update their Ordinances of this nature almost on an annual basis and it has been several years since this has been brought up to date. In the meantime, personnel problems have been mounting and time is passing on and moving ahead of us and possibly when these things were formed, there wasn't this resevoir of trained personnel in our own ranks but there is now. We want to make the best use of them within our organization on a businesslike basis...the same way that you would run your own business or anything else. You pick the best man and put him in the job. The meat of it is the personnel to rains butto Shat problem.

Mr. Thompson: Mr. Chairman, further to that, I can see the cumbersome part of having to advertise, but in the final analysis, you still give the job to the person in the organization that you were going to give it to originally so there is no problem here. The only thing that might probably help matters is that you might have got some applications from some people that you might not have previously thought were interested and this nature. I just wanted to make sure that the outsider wasn't being precluded even though you have to go to this extra expense of advertising the position. I think what you are saying in effect is that if there is a position open for your assistant, you want to give it to the fellow down the hall who has been doing your work while you were away sick rather than advertise and get somebody off the street that doesn't know anything about it. This is about what it boils down to. Is this correct?

Mr. Fleming: Well, generally, the devil you know is better than the one you don't and local preference has got a lot of merit. You have had an opportunity to study these people. You have a fair idea of their potential and we have had some adverse results from people who on paper look pretty good but in practice they are something different. I'm not saying that this is the standard. It isn't. These things happen. Besides, if we want to encourage people to think of the Government and the Yukon as a career and a place to live, we start right on the ground and encourage young men and women to go through the organization...work hard and proceed through. We can do it better if we get away from some of these old rules and regulations that tie us down too hard and fast to old ways.

Mr. Thompson: You are doing this now though. You are promoting them within the organization. I can't see your argument to this extent. You are still giving it to the person who has got the experience, the one that you know. All that you are doing is getting more paper work, probably in the form of additional applicants for a certain position.

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Mr. Fleming: Yes, it is not normal procedure to fill the top. Most people try and fill the vacancy at the bottom. In the meantime, we waste public money and for what? What have you achieved other than the expenditure of this money?

Mr. Taylor: Mr. Chairman, one of my concerns here, and I am sure it is one of the other Members also, is that until we see the Ordinance, it is going to be pretty hard to see what we are going to be discussing. I agree with anything that would upgrade the Public Service Ordinance and in effect, in past practices, or even present day practices... where the job...how will I word this?...where the job requirement was modelled to the man rather than the man being modelled to the job requirements. I have seen instances in the past in the Territory where a certain person was to have this job. They put the tender out and then it was found that he could have the break but they didn't have the poster right to get him in there so they withdrew the competition and started it again with a change in the qualification.. in other words, this buddy buddy bit of getting old colonels and so forth into the service. This I wouldn't want to see done again. I would like to see the most capable man get the job. I agree with your priorities with respect to those in the Civil Service..if they are capable and have put in.. I mean in the Territorial Civil Service..only the Territorial. I didn't mean Federal...then to the people of the Territory. This makes sense if they are capable of doing the job that you require them for. It also seems to me that the employees and the employer-employee relationship... I recall, I think it was this spring, employees rumbled that they were getting together in some form of an association in order to make collective representations to the Commissioner and other people involved as to grievances or wages and salaries... same thing. So, it seems to me that this group does exist, or the embryo of this group exists, and we are going to be faced with that, and this should be considered in such legislation that they do have a right...that their rights are protected. It's not a one-sided thing. I talso agree that as much as possible should be placed in this new Public Service Ordinance...that is to say that as much as possible be covered by legislation. I think this is more protection for the Civil Servants themselves because this Council controls the Ordinance. When you take a little Ordinance that big and then the Commissioner makes Regulations that big, then the Council ceases to lose control of the whole situation. Certainly the Commissioner must exercise some controls, especially for day-to-day administration. As I say, as much as possible, in my opinion, should be included in this new Ordinance to give the employee the little added protection that he requires. Those would be my thoughts on the thing. Delegation of authority again... I believe it is still intended that eventually we will have a Personnel Department who will function along the lines as submitted to us at the Spring Session...Director of Personnel, Yukon Territorial Government is the job description. I assume that this has not changed.

SESSIONAL PAPER #33 Mr. Fleming: No, it hasn't changed. This is the eventual. at the moment, as I say, I will continue to handle it with the assistance of the Pay and Classifications Officer. This is the first essential at this time...to find out what everyone is doing and getting each job classified. I might add that these amendments...this new Ordinance...would tend to create a service as a whole rather than a group of compartments. I think it would be much more understandable to myself and to those who have to work with it and we would be creating a service in which it wouldn't matter in which unit you joined in the first instance, there's always the possibility of going right away through to the top.

Mr. Taylor: Mr. Chairman, I have another question and that is, at the present moment, if an employee of the Administration for one reason or another, either rightfully or wrongfully, is fired by his Department or his Department Head, is this left to the Department Head or does this have to be cleared with higher authority?

Mr. Fleming: It has to be cleared through the Commissioner before anyone can be fired. The Department Head can recommend but he can't fire.

Mr. Taylor: If the person or persons have grievances, do they then have recourse to the Commissioner under the terms of the existing Ordinance?

Mr. Fleming: Yes.

Mr. Taylor resumes the Chair.

It seems to me that what Administration is saying is that the Ordinance as it is is not adequate and they want to put some changes in it. Fine. Let's put them in if they need them, but I was very surprised to hear someone say that we could not give preference to local people when it comes to hiring them. I see we have been advertising that those not resident of the Yukon need not apply. I have seen an ad of this nature. The thing that strikes me now is were we wrong in doing that? Did we not have authority to put it that way? Do we not have authority to hire Yukon personnel if we so elect to do so, over some outsider, and the remark that Mr. Smith must attend all hirings, whatever that interpretation was...this is a new one. I know this hasn't been done. I am not talking about Mr. Smith. I am talking about the Commissioner. We have been going along this way for years. Have we been out of order in doing this or does it really intend it the way Mr. Thompson put it, or his associate? I know ... I can think of school teachers.. the Commissioner is supposed to deal with each and every one of those that are hired according to the way it is written, but when you bring this up, they will tell you "Oh, well. appointed so and so", and this was the way I thought the whole thing was based on. Am I wrong...in this particular Ordinance here?

Mr. Fleming: The Commissioner's signature appears on every hiring form and also on the form of everyone who is fired. No appointment is complete and no firing is complete until the Commissioner's signature appears thereon so, on this basis, you could say he hires and fires.

Mr. Boyd: This answers my question quite clearly. He SESSIONAL doesn't really. He puts his signature there but he knows PAPER #33 little about it. I got a letter one day telling me to use a pack of dogteams to move a thousand tons of something and Walter Dinsdale had signed it...with due respect..and he denied having signed it and I think any Commissioner can find himself in the same boat. He's there. He signs it. He could use a rubber stamp. It would mean the same thing. He can't get it all in his day. It's not intended he should, but it's an excuse that he did, by having his signature there. That's all it boils down to in my opinion. Am I right in this respect?

Mr. Fleming: This is what the present Regulations say that his signature must appear there and whether or not he
reads it is dependent on the exigencies of the situation.
Also, he is not here all the time, having other duties to
perform, so it's up to one of his deputies to take the
responsibility to sign on his behalf.

Mr. Southam: Do you mean to say then, Mr. Fleming, that Commissioner Smith has to interview all of these people that are hired here and that he's got to okay it before a person can be hired as a Public Servant? Is that what you are saying?

Mr. Fleming: No. He delegates the authority to interview but there is a written report that has to go before him on every competition...a written report signed by the three Members of the Board.

Mr. Thompson: Mr. Chairman, I think probably we are digressing slightly. There's a vast difference between the Public Service Ordinance and the amendments that are required and the Personnel Department which we will come to very forcefully in Vote 8 so I would suggest that we either get back on to the Public Service Ordinance or have a recess for tea or something.

Mr. Watt: Just one question I would like to ask. By passing this in principle, are we passing in principle the setting up of a new Department? I can't help but believe that if we do pass this in principle that we are in effect setting up a new department that we have seen go from about zero to three in about three months and it could possibly be an awful lot more than that in a year. As far as some of the principles in the paper here are concerned with respect to hiring...as Mr. Thompson said, I think that as far as I know, you have already done in the past as a practice, and one probably will do in the future, transfer personnel from one department to another and fill the gap. Council has, in the past, specifically requested that all jobs that are filled are filled giving the Yukon first preference and sometimes this has been given consideration, sometimes it hasn't but it was specifically requested by Council in the past that this be done so what you are asking for is something that you have already got. With this new department, if we are setting it up, to what extent will it be duplicating the services that are already provided by the Unemployment Insurance Service? . They have personnel, stenographers, vetc., ready to be hired. To what extent is this service being used now? To what extent will we be duplicating this service? The state of the second second

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Mr. Commissioner: Mr. Chairman, the contents of the Public Service Ordinance in relation to the services of the Unemployment Insurance Commission...the only place that they would coincide, Mr. Chairman, would be at the recruiting level. I am quite confident that in our normal hiring practices that we are certainly making use of whatever recruiting facilities that the Unemployment Insurance people can provide for us. Is this not correct, Mr. Fleming?

Mr. Fleming: Yes.

Mr. Commissioner: We are certainly not by-passing any agency that is already set up to assist us, Mr. Chairman, but I can assure you that their services stop at the possible recruiting level so it is up to us by virtue of the authority that is given us under the Public Service Ordinance to decide who the person is going to be out of the various possible recruits that are available to fill the position. where U.I.C. assists us...in the actual recruitment...but the Public Service Ordinance is the authority that is given to us to hire these people and it should spell out the terms and conditions under which they are hired. Mr. Chairman, insofar as setting up a Personnel Department is concerned, if and when the Public Service of the Territory is large enough that we have to set up a department that will be known as a Personnel Department as distinct from all other departments, well, gentlemen, I am afraid that we will have to do it but certainly I think you have very clearly intimated to Mr. Fleming this afternoon that we are presently making out in a manner that we consider satisfactory and we will continue to do this so long as we consider it to be satisfactory. When the day arrives when we have to expand this further in order to properly deal with personnel problems, well, gentlemen, we will simply be faced with having to do it. The Public Service of the Yukon Territory in the course of the last few years has grown very considerably, mostly by legislative programs that pass through this Council's None of these programs are initiated at the Administrative level that pass through this Council and if they require more personnel or people to run them...we know of no means of running them without people...and we are not entirely satisfied that we can get the best organization or the best setup....it is our intention to merely improve on the organization and remember this also, gentlemen, that we are only as good as the people that we have around about us. This applies to Administration and this applies to this Territorial Council. We can only run the Yukon Territory by the quality of the people that we can encourage to be in the Public Service. No matter how many thousands of dollars that you vote for a specific program here, as to whether we get the value out of those dollars or not, depends upon the person who is ultimately responsible for either the spending of the money or producing the goods and services that are required under that program. We are simply bringing forth to you today our thinking that a revision or a complete replacement of this Public Service Ordinance is required to give us the maneuveribility and framework within which you (a) recruit the very best possible people and once we get them, keep them. Beyond that, gentlemen, there is nothing to say. It's just that simple. $\mathcal{A}_{i}(y_i) = \mathcal{W}_{i}(y_i)$

Mr. Boyd: Mr. Chairman, I would move that Council give its blessings to Administration to go ahead and prepare what they deem necessary in the form of legislation and from there on, we will take it as it comes.

Mr. MacKinnon: Mr. Chairman, I would just like to say that I am in full agreement with this Sessional Paper No. 33. We all realize that we have a new Commissioner. We can also be quite assured that he is making every effort to improve departments and by going along with the Sessional Paper and giving approval to a new Ordinance, I think it is a step in the right direction. I believe it is a necessity that we realize that we have a lot of departments that can be improved so this is one new Department that I would be very much in favour of. We have adopted some policies in the past couple of years that I have not been in favour of and I believe this Department would be of great value to the Territory.

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Mr. Shaw: I will second that Motion, Mr. Chairman.

Mr. Chairman: I wonder if during tea break, gentlemen, if you will draw up your Motion. At this time I will call Committee in recess for tea.

Wednesday, 3:30 p.m. November 16, 1966

Mr. Chairman: Gentlemen I will call the committee back to order and we were discussing Sessional Paper #33. There has been a motion presented moved by Councillor Boyd and Seconded by Councillor Shaw that the committee concur with Sessional Paper #33 and that the administration prepare an ordinance for presentation at the Spring Session of Council.

SESSIONAL PAPER #33

CARDY COLD

Mr. Thompson: Mr. Chairman, I am just wondering if I can make one small observation. It has just occurred to me that by specifying the Spring Session of Council the administration in all their wisdom will make tremendous strides in the right direction and will have this ordinance prepared forthwith immediately and we will have it for the Spring Session. In the meantime we are waiting for the Workmen's Compensation Ordinance, the Labour Provisions Ordinance, the Game Ordinance and I don't know whether there are any other ordinances in the offing that should be and were supposed have been presented so I would like to make it adamantly clear that I would like to see these other amendments to these other ordinances presented at this table before this particular one. If they are in a hurry to get this particular piece of legislation through then we might in fact get the other ones first.

Mr. Taylor: Councillor Southam will you please take the chair. I can wholeheartedly concur with Councillor Thompson. I was about to rise on the same subject of prickity and establishing priorities in respect to needed legislation. It seems that when the administration want it zoom it is here but when Council and the people of the Territory want it it takes years. Now the other point is that I just wanted to say for my own part that I do not agree in principle as such with the contents of this document because it is not specific enough to agree or not to agree. The last time or on the many occasions when I as a member have gone along and agreed in principle with such matters, I think the Corrections Program was one of them and you can carry them right down the line, they have a habit of getting away. If you agree in principle to something that is as broad as this there seems to be or that seems to give licence to the administration to go on any tangent that they so like and I think this motion is worded that the committee concur with the Sessional Paper #33. I wish to publicly state for the record that I do not agree in principle however an effort should be made to upgrade this ordinance and to embody those things which will be good for the Territory. Thank you Mr. Southam.

Mr. Shaw: Mr. Chairman, as seconder of the motion I believe that all this says is there are certain ways and means in which various functions of the civil service must be characterized. All they are saying is that they feel that this is what is necessary. As far as I can see I think it is necessary and they will then present this as an ordinance and it can be gone over and the administration can compound why they need this and why they need that and I can't see that anything can get away in relation to something like this. It is absolutely impossible. When we gave them the go-ahead on the jail system that was a different thing entirely. In that case we gave them a couple of million dollars and the okay and told them to hop to it and have a good time. That is exactly what has kappened too.

SESSIONAL

Mr. Shaw continues.....

But this is a different thing entirely, this is legislation PAPER #33 that has to be gone over section by section and no doubt it will require Mr. Ritchie here at the same time or someone here with the same qualifications to explain some of the things that we may not understand. This is the only way you can do this. I appreciate the fact that we have been asked as to. whether we agree to this or not. Usually we get it plonked in front of us and say here you are boys go to it.

> Mr. Chairman: Gentlemen, I have a motion presented here, moved by Councillor Boyd and seconded by Councillor Shaw that the committee concur with Sessional Paper #33 and that the administration prepare an ordinance for presentation at the Spring Session of Council. Are you prepared for the question?

Mr. Watt: Before we vote on this I want to make sure that, as far as I am concerned it is inviting the administration to propose legislation. It is not giving approval in principle to setting up an entirely new department.

Mr. Boyd: It reads right here: "It is therefore recommended that approval in principle be given to the concepts enumerated, so that the present Public Service Ordinance can be revised and submitted at the next Session of Council for consideration and approval".

Mr. Chairman: Gentlemen, are you agreed with the motion. Any contrary? The motion is carried.

MOTION CARRIED

MOTION CARRIED

Mr. Chairman: Mr. Commissioner do you wish to be excused?

Mr. Commissioner: I would ask that Mr. Ritchie be excused and if Mr. Chairman could give me a rough outline of what your program is for the balance of the day I would see if I could be of value to Council.

Mr. Chairman: Thank you gentlemen. Gentlemen the next Sessional Paper is No. 30, Office Accommodation for the Yukon Territorial Government.

SESSIONAL PAPER # 30

Mr. Shaw: Well Mr. Chairman, I note that this is signed by J. Smith as Commissioner but I am sure that the Commissioner never whipped up something like this. I have known him too long and this is impossible. The very pertinent part of this states, and I will quote: "As the original intention was to house all Territorial Departments under one roof, this came as the first departure from the plan." When Council after much consideration at the last Session before last agreed the moving of the Liquor Department to the Casca Building there was a great deal of deliberation in respect to how much it was going to cost the people to operate and finally came up with the rate of \$2.75 a square foot. Now, this Mr. Chairman for a department to lease, particularly one to serve the public, was the departure and the start to expand. I think at the same time the cost of the new building which is only about a year later has expanded accordingly and I think we have a figure here of about \$4.50. So in the first instance Council was very doubtful of renting buildings in view of the economy. However, after much discussion the administration assured us that this was a very reasonable cost and we could get by with something like this. All of a sudden swish it is done. In the meantime, myself and I think all members of Council, have been most desirous of establishing within the framework of this Whitehorse Metropolitan area a section of government which we could call the capital of the Yukon. That seems

Mr. Shaw continues.....

to be very well accepted by the administration. We were going SESSIONAL to move up to Camp Takhini and this was going to happen and that PAPER #30 was going to happen and all of a sudden in the space of a few months that concept was thrown into the garbage pail and we are going to scatter them all over Whitehorse, and outside of Whitehorse because somebody is going to go to Building 204. that to me just doesn't stack up. Myself, I feel Mr. Chairman that ultimately the Territory may not be growing, the population may not be growing but there is no question that the government departments are growing. We have to have someplace to house these people so that they can do the work that they are supposed to do. I won't get into the moral of this but I will just get into the matter that the service has increased. That to me requires planning. At this stage where are we going to house these people and when. To start off as has been done, I refer to this Lynn Building, to make a contract for 10 years to lease If and when which I hope should be done shortly office space. that we establish our own government center then the excuse will be that we can't do that because we have a lease with this fellow for ten years and with that fellow for ten years and we have them scattered all over and we would never get them together and you would never get a regular administrative center or parliament building or whatever you want to call it. When they needed a jail in this area or a correctional institute or whatever you want to call it they found ground and they found it pretty quick. In 18 months they found the area and they built the jail. They might not have any use for it for a couple of years but they have got the jail. Myself, personally, I am very much opposed to this leasing business and scattering the government all over the country. $\overline{\cdot}$ feel that this is the most confusing paper that Ihave seen for a long time and if it's conditions ever got into fact or got into effect I think you would have the same thing. Mr. Chairman, I am afraid you would have a department in a certain area and as they expanded they would have to kick out the smaller department to go somewhere else. You would have quite a time following from year to year where these smaller departments were located. I think we should get into the business of finding out where we can start building. subscribe to the theory that you can rent buildings cheaper than you can operate them. If the government rents a building and pays rent certainly that is going to cost more than operating it themselves or they would have meant that they were so inefficient that they can't operate a building and I don't think that the Territorial Government is that inefficient. We are going to be bound down after contract after contract for space and if we do want to make a move we will be hog-tied because we have too many commitments with private industry and I did agree after a lot of consideration to this liquor store rental but I certainly do not agree to any expansion of it except on a temporary basis and I do not think that 10 years is a temporary basis by any stretch of the imagination. The Territorial Council are relegated to another bill, now where they are going to hold their meetings I haven't seen it. I have heard that it is 22' by 16' and that to me Mr. Chairman is entirely inadequate for to hold meetings of the Government of the Yukon Territory. Now what you are going to put down in the basement of the Lynn Holdings I don't know but possibly that would be more and have much more space for us to carry on operations. Wherever the Commissioner is located, wherever the heads of staff are located, I think that is where the Council Chambers should be because from time to time they require the advice and so on from the administration. I cannot go along with this paper. It is a nightmare to look at and it would be a nightmare to every minister in every sense of the word. Those are my feelings on that.

SESSIONAL Mr. Boyd: Can Mr. Commissioner tell us exactly how many feet PAPER #30 we are leasing?

Mr. Commissioner: I think I tabled that information.

Mr. Boyd: What I am asking you is that you state here office space requirements. What I am after is how much office space are we going to sign a lease for in the Lynn Building and how much in the basement?

Mr. Commissioner: I will get that information. I thought it was on the paper.

Mr. Chairman: Gentlemen it makes it very difficult to carry on a meeting with several people wandering around. It is very distracting.

Mr. Boyd: This memo is a little confusing. How many feet did we turn down by not accepting the Camp Takhini 200 building. Now I am asking what space we are leasing in the Lynn Building and how much in the basement in square footage.

Mr. Commissioner: Mr. Chairman, could I be excused for a minute to get that information.

Mr. Chairman: Gentlemen I will declare a short recess.

RECESS

Mr. Chairman: I will call the committee back to order. Mr. Southam will you take the chair. I wholeheartedly concur with some of the other gentlemen who have indicated their thoughts on this subject. We have here a situation where by means of the administration by leasing without having prior consent of Council or with Council not having knowledge of this, office space in a building that is not constructed of several 1,000 feet of space for the purposes of sorting out the administration but as I see now for further purposes of scattering the administration throughout Whitehorse. Not only now are the departments of administration parted further from each other than what they have been in the past but each department itself is being split -- where the Queen's Printer leaves the Territorial Secretary is one place and somebody else is here. The treasurer is here and the treasury is someplace else. I just can't see it. I can't condone this. I don't know how the public are going to find their way around this, we are going to have to have a travel guide in order that the general public and the people not only in the Yukon and visitors too to the Yukon can find their way around and where the government is. We need office space, and now when we needed a school what have we done, we talked about it right here and we said we would pick a site and when we found a site and built it. In this instance we go to private enterprise as we did in the Casca Building and said we need a liquor department which I must say has someare functions from the rest of the government. So we said all right and give us the details and we looked it over and thought it was all right and gave our approval but this seemed to give licence to the administration to go and rent and buy or make any deals they wished for office space. We find that private enterprise can build a building to house our administration and make a profit on it. I am not against private enterprise but I am in respect of government because we are here as guardians of the taxpayers dollar so if private enterprise can build buildings to house offices why can't the government build buildings and show a profit. If private enterprise can build buildings why the draws likely as which

Mr. Taylor continues..... can't the government. I think it can be done if private enterprise can. Why don't we adopt the philosophy and set about this winter and get an architect and get a site somewhere, maybe Lot 19, and start developing a building or group of buildings which could be added to and call that the home of the Territorial Government and all it's administration and get off this tangent of going up the hill, down the hill or in the corridor or where. The federal government, if we could show them as the private SESSIONAL enterprise has shown us that we can make a profit should go along with this and there should be funds in the next financial agreement to go along with this, for this purpose. I have always said that the sooner the Yukon is going to get ahead is the sooner it alienates itself with any relationship with the N.W.T. The Department of Northern Affairs, pardon me I think it is the Department of Northern Development and Indian Affairs, control the N.W.T. and for a large extent say what we do here in the Yukon. Let's get off their coattails and let's put a concerted effort to the Minister to obtain our own self-government or at least a measure of self-government in the Territory. Another thing I would like to remark upon again is the Council Chambers once again. I feel that the people of the Yukon Territory and their elected representatives who are this Council really who they elect every three years and bring their problems to this table and the problems of the Territory and they are entitled to have their chambers and when they are not there lock it up. That belongs to the people and they are entitled to have a chamber which in every respect is similar to any other legislative body in Canada. There are only two that don't have their own Council chambers and one of them is the Yukon and the other is the N.W.T. and the N.W.T. is 60 years further at least into the Dark Ages than we are in this respect. So I would be unalterably opposed to any suggestion that we take over the City Council chambers of the City of Whitehorse. That is theirs and when they sit there fine and when they leave it should be locked up or kept for their own exclusive and sole use. If we consider again that we can build a building or have one constructed as private enterprise does and break even on it you can then incorporate a Council Chambers in that building and house our administration in that building along with the various departments and we can so locate it that it can be easily reached from downtown Whitehorse. Certainly there must be somewhere. I speak of places where people can get welfare, social security, licences, or whatever is involved and this type of thing. If the federal government is going to kick us out of here fine, and they will retain their judicial offices, their post office, their manpower services and the services that the federal government maintain and provide. they say that they will require all the space in this building for this purpose I don't think that we are using any common sense at all. We will scatter ourselves helter and skelter all over the country. I think we should adopt the same tact that they do, when they want something they build it. They built the Vocational School over there and they built us a jail and when they can do that maybe they will be ready enough to loan us the money so that we can build a building in which to house ourselves and in this manner I think we could keep our house in order and keep our administration together and more important to do a service to the taxpayer to the job they sent us here to do. Those are my opinions and as far as the Lynn Building, I take the same attitude as to the building of the garage over at the Whitehorse General Hospital, it was built without prior knowledge or consent of the people of the Territory and Council refused to extend the monies for that purpose and I say at this table that I am unalterably opposed to this and I will certainly not give my vote for any money towards this building.

Mr. Commissioner: Mr. Chairman, may I answer Mr. Boyd's question. Usable office space in the Lynn Building will be located on three floors of 4,400 with each 1,320 square feet. Basement storage area of 3,324 square feet.

SESSIONAL PAPER 30

Mr. Boyd: That is 4400 square feet of office space?

Mr. Commissioner: That's what it says right there.

Mr. Chairman: Any further discussion on this gentlemen?

Mr. Watt: I am certainly delighted to see this paper before us at this time. If it were six months from now I would be disappointed but I think Mr. Commissioner has made a suggestion or at least offered a thought that a suggestion that might be there and that is when we go into Ottawa we have a little discussion there and tell them that we do need a Territorial building. understand that we are being given the bum's rush from the federal building here and that we are contracting for more and more office space. I think with that the administration should project the office space that is going to be needed and all in the next five years and ask them to draw up plans and give us a rough estimate of a building that would house and put all this stuff together in an area that is set aside in the City of Whitehorse for a Territorial Building in which we could have our legislative building. When we become a province we will need a building. I think that this is something that we should insist upon when we go to Ottawa and this is why I say I am happy to see this confusion right now and I hope this paper is even added to before we go to Ottawa so we can show them the confusion that we have here in respect to office space. There is one question which I would like to ask Mr. Smith. In the past we have been renting space from the federal government here and now we are going to be asked to leave. In the past all janitorial services have been supplied, is that right?

Mr. Commissioner: Well, Mr. Chairman, speaking subject to being corrected, it is my understanding that the three dollars and fifty cents per square foot that we pay for space in this building is inclusive of the services and I would also say that the price is considerably higher than this well mooted for the use of the D.P.W. buildings in the Takhini area. As far as I know the \$3.50 we pay in this building is inclusive of all services.

Mr. Watt: A supplementary question to that, in the past I have noticed a contract for snow removal by the federal government and this year I noticed it is by the Territorial government. Isn't that included in janitorial services?

Mr. Commissioner? I am afraid Mr. Chairman that I am not off hand familiar with any but if I could be supplied with details of any requests I would be happy to supply the answers.

Mr. Watt: Mr. Chairman in the last local Whitehorse Star and the News Advertiser they request for snow removal with the Commissioner's signature on it.

Mr. Commissioner: Without looking into this very much further which I am certainly proposing to do, I think this is very clear. It says here Territorial Buildings and I don't think that this refers to the federal buildings here in Whitehorse. I am subject to looking into further detail on this but it certainly states Territorial buildings here and I certainly don't think in any shape or form that this building here can be classified as a Territorial Building.

Mr. Watt: Somebody had brought this to my attention and they had understood that it did include this building. Do you think it would be possible to have the Engineering Department aware of our needs and draw up a draft for us to take to Ottawa. Possibly a building could be planned and we would have some figures to go on.

SESSIONAL

PAPER 30 Mr. Commissioner: Mr. Chairman, I would be very happy to do what we can along these lines, the estimation of office space over a considerable period of time and the present period of growth of the Territory is having is just not too easy to come up with. It is just like our five year fiscal agreement, there is--you do the best you can with what you have and I would be very happy to see what can be done to provide this information for Council. I would also indicate to Council that if and when the responsibility for the administration for that portion of the Alaska Highway becomes our responsibility thevast majority of the headquarters buildings as we know it used for D.P.W. people who presently do theadministrative work is going to be acquired for and we will be taking over. I don't blame Council here. I am very concerned about the aspects of these things. I think that by using rented space for a period in the future or longer it is going to strengthen the wish of Council in securing the proper building. Certainly at the moment I don't think there is any reasonable hope of securing the necessary funds or finances of building a nature of the building needed say like this building, to house our Administrator and the legislative functions. It is certainly reasonable that in the next ten years we stand a pretty good chance of getting something like this. You were speaking of building a permanent building in the class of a parliament building and this is something that once it is built it cannot be moved down or added to. I can't help but agree with Council and I would like to see them proceed with it. As I said the other day the administration is faced from time to time with decisions in this regard and it is our problem to do whatever we can and in the proper way how and in the best way we can to the best of our ability. Well this may not be the answer. With all this confusion before you I must compliment you on the way you have sorted it out and dealt with it. In association with the questions that Councillor Watt has asked I will be happy

Mr. Chairman: Gentlemen, in view of the time I wonder if we could continue this the next time we sit when we have time on the agenda.

to ferret out the information along those lines.

Mr. Shaw: I wonder if Mr. Commissioner can inform me is it not possible to extend this building or put another storey on it?

Mr. Commissioner: I am not in a position to answer that question properly. The proposal of putting another storey on this building has been dealt with from time to time but each time when it has come up for reasons I am unaware of it has always been turned down.

Mr. Chairman: Gentlemen, may Mr. Commissioner be excused at this time?

Mr. Commissioner: Thank you gentlemen.

Mr. Chairman: What is your pleasure gentlemen?

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

Mr. Boyd: I second the motion.

Mr. Chairman: It has been moved by Councillor Thompson and seconded by Councillor Boyd that the Speaker do now resume the chair and hear the report of the chairman of committee. Are you ready for the question. Are you agreed with the motion. The motion is carried and Mr. Speaker will resume the chair.

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

Mr. Taylor: Mr. Speaker, committee convened at 10:35 a.m. to discuss bills, memoranda, sessional papers and motions. The committee first discussed Bill #ll with Mr. Commissioner and Mr. Treasurer in attendance. Committee recessed at 11:45 a.m. and reconvened at 2:25 p.m. Councillor Boyd moved, seconded Councillor Southan that Mr. Speaker do resume the chair and this motion was carried. Committee convened again at 2:30 p.m. to discuss bills, memoranda, etc. Mr. Ritchie and Mr. Commissioner and Mr. Fleming were in attendance to discuss matters related to a proposed Public Service Ordinance. It was moved by Councillor Boyd, seconded by Councillor Shaw that this committee concur with Sessional Paper #33, that the administration prepare an Ordinance for presentation at the Spring Session of Council. I can report progress on Bill #11. It was moved by Councillor Thompson and seconded by Councillor Boyd that Mr. Speaker resume the chair and hear the report of the chairman of committees.

Mr. Speaker: You have heard the report of the chairman. Are you agreed. Any contrary. The motion is carried. Gentlemen what is your pleasure for the agenda for tomorrow.

Mr. Taylor: I suggest we conclude discussions on this sessional paper we have worked on and return to the main supply bill.

Mr. Speaker: It has been suggested that we complete the discussion on this sessional paper and then proceed with bills. Are you agreed.

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

Mr. Southam: I second that motion.

Mr. Speaker: It has been moved by Councillor MacKinnon and seconded by Councillor Southam that we call it five o'clock. Are you agreed with this motion. Council now stands adjourned until tomorrow morning at ten o'clock.

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Page 249 Thursday, November 17, 1966. 10:00 o'clock. more per certification of a contraction

Mr. Speaker read the daily prayer and Council was called to Order. Councillor MacKinnon was absent. Mr. Commissioner Mr. Speaker: Is there a quorum, Mr. 6lerk?

Mr. Clerk: There is Mr. Greeker.

Mr. Clerk: There is, Mr. Speaker.

Mr. Speaker: Have we any correspondence this morning, on a filosofic (on post of company). The filosofic on the state of the filosofic Mr. Clerk?

Mr. Clerk: Yes, Mr. Speaker, I have two Sessional Papers SESSIONAL this morning. The first is Sessional Paper No. 36 entitled PAPER #36 Societies Ordinance. This Sessional Paper should have an attachment which inadvertently has been overlooked which will be supplied to each Councillor later on today. (Reads Sessional Paper No. 36). As I mentioned before, the attachment is not here. It will be supplied later on today. The SESSIONAL second one is Sessional Paper No. 37, Dalton Post - Mile 106 PAPER #37 Haines Road. That's all this morning, Mr. Speaker.

Mr. Speaker: Thank you, Mr. Clerk. Have we any Reports of Committees this morning?

Mr. Thompson: Yes, Mr. Speaker, the Report of the Financial SESSIONAL Advisory Committee. (Set out as Sessional Paper No. 38) PAPER #38

Mr. Speaker: Thank you, Mr. Thompson. You have heard the Report of the Chairman of the Financial Advisory Committee. Are you agreed with the Report?

All: Agreed.

Mr. Speaker: Mr. Legal Advisor, would you like to take your place in Council. (Mr. Legal Advisor enters the Council Chambers). We have a further Committee Report. Mr. Southam.

Mr. Southam: Mr. Speaker, there is not very much to report. REPORT RE This little Committee meeting, so to speak, and I feel...as U.K.H.M. far as anything that came out of it, it is mostly the opinion CLOSURE of the General Manager and the Directors of the Company that as long as they can hold the tonnage as is and the work staff as is at the present moment, there will be no more curtailing until such time as the property will be shut down which will be somewheres in July or August. It is the consensus, opinion of the Management...Manager, I should say...that the Keno Hill will close at a later date, as I have said, and it may possibly re-open...it could be two to three years. It could be as far away as seven years. If and when it does re-open, it will be in a new mine altogether and in a new location. His recommendations are that it would be a new plant altogether and at that particular time I would assume that...as I say.. it will be curtailed a lot in size. It won't be as big as it is now for one thing and he also pointed out that there is no one mine in that area of the United Keno Hill, and we have worked as many as eight at one time, that could carry on operation as it is now. It has to be a series of mines and also a series of new work coming in until a vast amount of development is done. They are mining the ore reserves now. As everybody knows, it was strictly stoping. The tonnage is up to 550 tons a day and they are just taking whatever they can get and that's as far as I know.

u Profesional de la compania del compania del compania de la compania del compania de la compania del compania de la compania de la compania de la compania de la compania del compania dela compania del compania del compania del compania del compania de Mr. Speaker: Thank you, Councillor Southam. That was most informative.

Mr. Southam: Mr. Speaker, I might add to that that the people from Ottawa have gone up to the mine today with the manager to take a geographical look at our troubles. In other words, why the transportation costs and the high costs of mining and so forth take place.

Mr. Speaker: Thank you, Mr. Southam. Have we any further Reports of Committees? Have we any Notices of Motion and Resultion this morning? Have we any Notices of Motion for the Production of Papers? We will next proceed to Motions. We have Motion No. 4, Mr. Taylor, Centennial Plaques.

MOTION #4 Mr. Taylor: This is Motion No. 4, Mr. Speaker, moved by myself, seconded by Mr. Boyd, re Centennial Plaques. That in the opinion of Council, plaques provided for Yukon Centennial Projects be worded in the English language only. May I proceed, Mr. Speaker?

Mr. Speaker: Proceed, Mr. Taylor.

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Mr. Taylor: I have noted, Mr. Speaker, that during the past several issued of local newspapers there has been a tender called for plaques for Centennial projects through-out the Territory and I am led to believe that these, once provided, will be placed on such things as community halls, cairns and all the various projects throughout the Territory. I am, of course, of the opinion that there is no need for bilingualism in the Yukon Territory and I am, of course, of the opinion that once it starts, it's going to be pretty hard to hold down. I know the Federal Government do this and I know the Mining people in their forms and in the writing of their Mining Act have managed to hold off. I think the Province of Alberta has held off. I'm not too sure about the Province of British Columbia, but I think that here if we were to ever accept Centennial Plaques in bilingual fashion, that is to say, another language, the principal Indian and native languages that prevail in this. area would be the other language to adopt. At the present moment, I would suggest as I believe at least one Territorial Plaque will be placed... I am not too sure... I believe it is in front of the Federal Building. .. as it will be entirely in English, I believe that all our other Centennial Plaques should also be in English because English and English alone, other than native, is spoken here in the Yukon.

Mr. Speaker: Have we any further discussion on Motion No. 4?

MOTION #4 CARRIED

MOTION CARRIED

The Motion was carried with Councillor Southam contrary.

Mr. Speaker: The next Motion is Motion No. 5, Mr. Taylor, Liquor Ordinance.

Mr. Taylor: Mr. Speaker, this is Motion No. 5, moved by MOTION #5 myself and seconded by Mr. Boyd, re Liquor Ordinance. It is the opinion of Council that legislation be prepared and submitted to Council, which would provide that all licenced premises may be permitted to sell liquor from the hours of 12:01 a.m. until 3:00 a.m. on the morning of Sunday, January 1, 1967, same provision to be made in respect of special occasion permits. May I proceed, Mr. Speaker?

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Mr. Speaker: Proceed, Mr. Taylor.

DISCUSSION MOTION #5

Mr. Taylor: As all Members of Council will certainly recall, the question has arisen this Session respecting the problem that will be facing us at New Years, the problem of course being our ability to be able to bring in the New Year in the usual manner and fashion that we have done in former years. The Liquor Ordinance, of course, as we all know, does not provide for this due to the fact that New Years falls on a Sunday this year, and in order to enable the Administration to proceed with drafting of legislation which would be presented to Council for consideration, it appeared that a Resolution was required. Beyond that, Mr. Speaker, I think that the Resolution is quite explanatory.

Mr. Speaker: Have we further discussion on Motion No. 5.

MOTION #5 MOTION CARRIED CARRIED

Mr. Speaker: The next Motion is Mr. MacKinnons and he is not here at the moment so we will proceed to the next item of business which is questions. Have we any questions this morning?

Mr. Boyd: Mr. Speaker, I addressed a question to the Commissioner some few days ago concerning the situation of insurance on property, particularly in connection with the last fire in the school. I would like to direct a question now to Mr. Smith. We can still anticipate a more or less detailed answer to that question can we? detailed answer to that question, can we?

Mr. Commissioner: Mr. Speaker, an answer is in preparation. I inquired this morning, and I am hopeful that it will be available for Council during the course of the day. Mr. Speaker, when the appropriate time comes, I have several answers to questions that have been asked verbally so whenever it is appropriate, you can call on me.

Mr. Speaker: Have we any questions at this time?

Mr. Taylor: Mr. Speaker, I have a question I would like to direct to Mr. Territorial Secretary and that has to do with signs. In view of the fact that there are many signs along the Alaska Highway throughout the Yukon and I am sure on Territorial roads, advertising premises which are no longer open or services which are no longer available, is there any Regulations in the Signs Ordinance, to his knowledge, which would insist that the owner or the person responsible for this sign do take them down whenever they close their premises?

Mr. Clerk: To my knowledge, Mr. Speaker, there isn't such a requirement in the Regulations.

Mr. Thompson: Mr. Speaker, further to that, I think that this is a very sound suggestion. I don't think that it would be necessary to go to that extent. I think that a larger border, black, across the sign that just said "Closed" because I have heard on several occasions, where people have not been familiar with the Highway, have looked in their little Mile Post and seen that there is a place down the road about twenty miles and "I've got enough gas to get me thirty", and they have gone twenty miles and that place hasn't been open. I think that something along this nature, particularly in the winter time, would be very sound...to institute something of this nature. I don't know if Mr. Taylor wants to make this in a form of a Motion or whether it could just be inserted in Regulations.

Mr. Speaker: Mr. Thompson, this is just a question period, not a discussion. Does that answer your question, Mr. Taylor?

Mr. Taylor: Thank you, Mr. Speaker.

Mr. Speaker: Are there any further questions? We have no further questions. Commissioner Smith has indicated that he has answers to questions raised at previous meetings. Would you care to proceed, Commissioner Smith.

Mr. Commissioner: There is an answer in preparation on the question that was raised concerning Expo, Mr. Speaker, and along with the answer to the Insurance query, I hope that I will have these for Council's perusal today. The question raised by yourself concerning a school attendance problem in Dawson - the Superintendent of Schools and the Probation Officer have been instructed from my office to see that immediate action is taken and they are getting together today with the appropriate people to see that this matter is taken with care of. The inquiry to Ottawa concerning Workmen's Compensation Board legislation - there's a telex that came in this morning that this legislation was mailed from Ottawa on November 14. I am in no position to say, Mr. Speaker, what the conditions of mail service is due to the airline tie-up but I want Council to know that this is the information that we have received from Ottawa on this particular thing. The question of the traffic court problem - there is a report coming on this. We were asked were certain archive type records burn in the Forestry Building fire here of a winter or two ago, and the answer is yes. There were considerable old records of the Territorial Government lost in that fire. The question raised yesterday in Council, Mr. Speaker, concerning a fixed date for Council Sessions-at an appropriate time I would appreciate an apportunity to discuss this matter with Council. This is everything I have here at the moment, Mr. Speaker. For Council's information, we are holding a meeting tomorrow with certain officials from the Cassiar Asbestos Corporation further to the participation and position of Government and the Industry in the continued development of the Clinton Creek townsite in connection with Cassiar's development of that area. Mr. Speaker, a question concerning an advertisement in the paper concerning snow and ice removal from Territorial buildings...this is exactly what it refers to ... Territorial buildings here in Whitehorse such as schools, the library, the old library site, etc. This is not Federal buildings. This is strictly Territorial buildings that this refers to.

Mr. Speaker: Thank you, Commissioner Smith. Are there any further questions? If not, we will proceed to the next item of business, namely Public Bills and Orders. We have a number of Bills for Third Reading. What is your pleasure at this time?

THIRD
THADING
BILL #1

Moved by Councillor Taylor, seconded by Councillor Boyd, that Bill No. 1, An Ordinance to Amend the Companies Ordinance, be given Third Reading at this time.

MOTION CARRIED

MOTION CARRIED

Moved by Councillor Taylor, seconded by Councillor Boyd, that the title to Bill No. 1, An Ordinance to Amend the Companies Ordinance, be adopted as written.

MOTION CARRIED

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| Mr. Speaker: The Motion is carried and Bill No. 1, An Ordinance to Amend the Companies Ordinance, has passed this House. | BILL #1 PASSED |
|---|--------------------------------------|
| Moved by Councillor Boyd, seconded by Councillor Southam, that Bill No. 5, An Ordinance to Amend the School Ordinance, be given Third Reading at this time. MOTION CARRIED | THIRD READING BILL #5 MOTION CARRIED |
| Moved by Councillor Boyd, seconded by Councillor Southam, that the title to Bill No. 5, An Ordinance to Amend the School Ordinance, be accepted as written. | MOTION |
| MOTION CARRIED | CARRIED |
| Mr. Speaker: The Motion is carried and Bill No. 5, An Ordinance to Amend the School Ordinance, has passed this House. | BILL #5 PASSED |
| Moved by Councillor Southam, seconded by Councillor Taylor, that Bill No. 6, An Ordinance to Amend the Coroners Ordinance be given Third Reading at this time. | THIRD READING BILL #6 MOTION |
| MOTION CARRIED | CARRIED |
| Moved by Councillor Southam, seconded by Councillor Taylor, that the title to Bill No. 6, An Ordinance to Amend the Coroners Ordinance, be accepted as written. | Mail Éire Tarrainan |
| MOTION CARRIED | MOTION CARRIED |
| Mr. Speaker: The Motion is carried and Bill No. 6, An Ordinance to Amend the Coroners Ordinance, has passed this House. | BILL #6 PASSED |
| Moved by Councillor Boyd, seconded by Councillor Southam, that Bill No. 7, An Ordinance to Amend the Low Cost Housing Ordinance, be given Third Reading at this time. | THIRD READING BILL #7 MOTION |
| MOTION CARRIED | CARRIED |
| Moved by Councillor Boyd, seconded by Councillor Southam, that the title to Bill No. 7, An Ordinance to Amend the Low Cost Housing Ordinance, be accepted as written. | |
| MOTION CARRIED | MOTION CARRIED |
| | |
| Mr. Speaker: The Motion is carried and Bill No. 7, An Ordinance to Amend the Low Cost Housing Ordinance, has passed this House. | BILL #7 PASSED |
| Moved by Councillor Southam, seconded by Councillor Boyd, that Bill No. 8, An Ordinance to Amend the Fire Prevention Ordinance, be given Third Reading at this time. | THIRD READING BILL #8 MOTION |
| MOTION CARRIED | |
| Moved by Councillor Southam, seconded by Councillor Boyd, that the title to Bill No. 8, An Ordinance to Amend the Fire Prevention Ordinance, be adopted as written. | |
| MOTION CARRIED | MOTION CARRIED |
| Mr. Speaker: The Motion is carried and Bill No. 8, An Ordinance to Amend the Fire Prevention Ordinance, has passed this House. | BILL #8 PASSED |

MOTION CARRIED

THIRD Moved by Councillor Taylor, seconded by Councillor Southam, READING that Bill No. 12, An Ordinance to Amend the Vital Statistics BILL #12 Ordinance, be given Third Reading at this time

MOTION CARRIED

Moved by Councillor Taylor, seconded by Councillor Southam, that the title to Bill No. 12, An Ordinance to Amend the Vital Statistics Ordinance, be adopted as written.

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MOTION CARRIED

MOTION CARRIED

BILL #12 Mr. Speaker: The Motion is carried and Bill No. 12, An PASSED Ordinance to Amend the Vital Statistics Ordinance, has passed this House.

Mr. Speaker: Well, gentlemen, that pretty well completes the routine and Orders of the Day. What is your pleasure at this time.

Moved by Councillor Taylor, seconded by Councillor Boyd, 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 and also the topics to discuss with the Commissioner the opening dates of Council and the Main Supply Bill.

MOTION CARRIED MOTION CARRIED

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

Mr. Taylor: I will call a short recess while we get our papers in order.

Mr. Chairman: I will now call Committee to order. The first matter of business, I believe, is the matter raised by Commissioner Smith in Council this morning about the compening dates of Council. Would you proceed, Mr. Commis-

PRITING COUNCIL DATES

Mr. Commissioner: Mr. Chairman, as I stated yesterday, I think the point is a very good one and I think it is one of these areas that Council and the Administration can respect each others wishes very well. I realize that there is always a very great question in Council's mind as to when the Council Session will be called, whether it is the Fall Session, the Spring Session or any intervening Session, and this is very obviously an important part to them as they all have regular employment that they have to attend to. Likewise, gentlemen, I think that Council has got to respect the fact that the Administration is faced with getting a day's work done too, and if we can get together on this, I think a very great good can come to both sides, both the Legislative People and the Administrative People, if this could be settled on. I think it would be very unwise to say at this time that from hence forth on Spring Session will be called at such and such a date and Fall Session called at such and such a date, but for Council's consideration, I would put forth this idea to you, gentlemen, that in co-operation with Council and the Administration, that before you disband from this Session that we all agree upon the date at which the Spring Session will be called. While I don't expect you to put forth your suggestions this morning, I would like to feel that you would give me your suggestions so that I can take it up with emembers of my managery

SETTING COUNCIL DATES

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Mr. Commissioner continues: Administration and see that we set upon a date before you go from this Session that is going to be agreeable to all of us as to when your Spring Sitting will be called. I would likewise bring to Council's attention, in conjunction with this, the thought that for all concerned that Council should be possibly giving consideration to putting a maximum number of sitting days on their Spring and Fall Sessions. This would be of very great assistance, I think, to Council as individuals. I think it would be of tremendous assistance to the Administration because when Council is in Session, I think that we are duty bound at the Administrative level to see that people and answers are readily available and if we all knew that Council Sitting was estimated to be approximately fifteen sitting days in the Fall and twenty sitting days in the Spring, people in the Administration would appreciate the opportunity so that they, too, can make their plans as to...they cannot all be here in Whitehorse all the time, gentlemen. They have got duties to perform in other places as well. So, I think, gentlemen, that this is a two-way street, and I appreciate the opportunity of you opening this matter and while I don't expect, Mr. Chairman, any finalization of these discussions at the present time, any assistance that I may be to you in helping you on this to explore these possibilities or thoughts along was this line, I would be very very happy to do so. If there in held are any questions, Mr. Chairman, concerning my thinking that anyone has, I would be very pleased to try and expand it in any way, shape or form that I can.

Mr. Shaw: Mr. Chairman, I think that this is very good. I think we are starting to get this formulated into something where we all know just about what is going to happen. However, there is one point that does appear to me to be most difficult to, let us say, prognosticate, namely, the sitting days. For example, Council are most anxious, and have been for quite a number of years, in getting certain Ordinances passed. The delay has been for various reasons, mostly though by the fact that we have not the legislation before us. A very good illustration, Mr. Chairman, was this morning in relation to the Workmen's Compensation Ordinance that left on the fourteenth and even, where things were normal, it would take a few days to get here, which also means that we are well into the Session...so, this is somewhat a farreaching Ordinance and would require a great deal of discussion and study so that that, in itself, would last for a number of days which wouldn't be expected or foreseen. So, therefore, if we were wrapping up the Session on a certain date; we would only get part way through that and it would disappear...so, I can hardly see where you can set a date, but you can set an agenda and endeavor to keep within that but if you have something too solid, it would not be possible. There are other Ordinances too that I think should have been before this Council years ago - not months ago or weeks ago, but years ago, but though they may not appear important to the drafters of the legislation, Council itself, as representatives of the people, feel that these are very important and that should be given a great deal more consideration by Ottawa than what has been given in the past; so that in setting a date you do have your difficulties... something like what happens in most walks of life. one making their livlihood, especially in something where you off have to go away from home...you tell your wife...you know what time you leave but you don't know what time you'll get back. That's about the case with the Council Session. We can certainly establish a date and that is very, very good, SETTING COUNCIL DATES Mr. Shaw continues: but as far as the closing date, that is something that is a little more difficult.

Mr. Commissioner: Mr. Chairman, the very thing that the Councillor brings up could conceivably be the most beneficial result of Council at least targetting for a maximum number of days at the Fall and maximum number of days at the Spring because at that particular point, it would give, possibly your Commissioner, the opportunity to bring this matter to the attention of people who possibly, in the past, have seen fit to put other work in precedence to that which is required here, Mr. Chairman. I simply pass this on to you that this is not entirely a bad thing to consider from a point of view of getting before you, at an explicit time, those things that Council wish to see before them.

Mr. Southam takes the Chair.

Mr. Taylor: I can't necessarily agree on this point of maximum sitting days. I have said this before and I will say it again - any suggestion that this Council, by the Administration, regardless of who is in it, that this Council set themselves to ten, twenty, thirty, five days or fifty days, as far as I am concerned, is nothing more than a muzzling of the effectiveness of the people's representatives. This has been suggested before. Fellows, a little pat on the head and you just do this, rubber stamp that and then the go home by Thursday such and such and such, and I'll be no part to it, nor to any suggestion that we do it. I agree, as all Members do, that the sooner that we can expedite the business of the Territory and go home, fine; but it seems on many occasions that we must stand here and fight and fight hard for every inch of ground...as a matter of fact, we have to fight and fight hard for every inch of ground that we make on behalf of the people because we pass Motions here which are totally ignored by the Administration, or have been in the past. I trust that this will improve in the future. We have passed opinions that have been rejected completely and actually I often wonder as to just why we even sit here. What authority do we have? We cry for more autonomy. We can't have that. It seems we can't have anything, but any suggestion that we can say we are going in for twenty days is absolutely foolish ridiculous. You never know. We have been asking for Labour Legislation, Workmen's Compensation Legislation, for years and years. I haven't heard what happened to our Labour Legislation but I can show you Votes and Proceedings for the past number of years which say it's always going to be at the spring session next, or the fall session next. How do we know when this stuff is coming? How can we limit the work of Council? We got caught up here the other day. We got to the point where we had the Main Supply Bill because the Administration hadn't provided anything else for us to do other than this at that time. So, at that point, we could say, "Well, we'll finish up the Supply Bill. We'll fight like a tiger and see if we can get our Labour Bill and our Game Ordinance and our other work and - bingo - go home". Now we find we are getting some of the answers we have been asking for and more legislation is coming. How can you tell? You can't program this thing, and I think it is well to bear in mind that when Council sat for ten days ten years are doesn't mean that you can sat for ten days ten years ago doesn't mean that you can accomplish the same thing in ten days today because every

Mr. Taylor continues:

Mr. Taylor continues:
time a budget rolls by this table, the work load on the SETTING Administration has increased annually to fantastic prorequired...well as that increases, so does the work load on the Yukon Council. I think this is portions...all these additional people....more staff on the Yukon Council. I think this is a point to consider. Insofar as the Sittings of Council are concerned, I think, generally, we have always sat on the first or second Monday of March for the Spring Session and we have always sat on the first or second Monday of November for the Fall Session as long as I have been in Council. This is the way it has always worked out, and if there is any decision made in respect of the days we sit, I think, historically, this was set as being freeze up and being break up time and I think that still applies in relation to the Territory and I think it works in with the Administration. It must because this is when we have always sat. I would suggest that this be considered.

COUNCIL

Mr. Watt: Mr. Chairman, I partly agree with Commissioner Smith's suggestion that we should aim at a target date. We can make the date. We can always change the date. I would like to add to that that the should try to should try to be adding like to add to that that we should try to get the Administration to set a target date to have all Ordinances of that Session...any particular Session...to be considered, plus the Budget within say...this is just a suggestion...within seven days after we commence...within the time we open Council. Last Session we finished all our deliverations pretty well and the last couple of days, we got three or four more Ordinances. Just before we were ready to close, we got three or four more Ordinances. I agree that we should try and set a target and if we miss the target by a day or two, that's not bad. I would also like to add....we have been asking for Ordinances, revised Ordinances...as Mr. Taylor suggested, and if you look at this book, there's a hundred and twelve Ordinances. If we go over one every Session, that means it's still going to take pretty near fifty years or sixty years for Council to overhaul the book. Some of the main ones should be revised - say one a Session could we revised and then we would keep some of the main Ordinances up to date. I like the idea of suggesting a target - something to aim at, but I also think that we are going to need a lot of co-operation from the Administration to get the work that we need as early as possible - no later than seven days after we commence.

Mr. Chairman: Any further discussion, gentlemen?

Mr. Boyd: Well, Mr. Chairman, I feel that already there is a certain amount of control be simply deciding what papers will be put before Council now and what will be withheld. I think there is some of this in effect already. The thing I think there is some of this in effect already. The thing is that we don't know which ones are being withheld. Neither do we know that it is possible to have them here but I can imagine that if we said, for instance, we were going to sit for twenty days and we have, oh, five days left, Administration could then not put a Bill before us, shall we say, of any consequence insequence insequenc any consequence inasmuch as we wouldn't finish it so because of the deadline we set, it would be held over for six months. Now, we expected the Game Ordinance Bill before us last Session. It's not here and we haven't had any explanation. Where is it? What happened? It was going to be here last Session. It's not here this one and we are told nothing.

SETTING Mr. Boyd continues:

COUNCIL Maybe it is sitting somewhere, but these are the things that befuddle us. Is it Ottawa? Can you, when we suggest setting a time limit, can you accept the fact that Ottawa will improve or will they simply say "Well, it's not important. We haven't got it ready. We will leave it...."... what nearly happened, we will say, on this Bill that is coming that was mailed on the fourteenth. I don't know what prompted that to get out now...on the fourteenth. Maybe it was the question that was asked. Maybe it wasn't, but there are so many things and I think setting a date is fine. We can say we are only going to sit so long, but I don't think it should be to the extent that we preclude dealing with anything should it become available to us, ...455 particularly so if it's important to the people of the Yukon. Six months wasted for the sake of closing two or three days earlier would be wrong in my thinking. three days earlier would be wrong in my thinking.

> Mr. Taylor: Mr. Chairman, I can only say that any suggestion of setting...it is not for the Administration to curtail legislation at any time. It is for the Administration to provide it when it is required to the best of their ability if it is within the realms of availability of this material. I think that quite often Members fail to consider that they are Councillors and they are not just Councillors representing their own constituency. When they come to this table, they represent all the people of the Yukon....each and every one of us and in this respect, it is the poople that are fighting too and it is the Administration, or certainly it should be, it is the Administration that do the work in the the best interest of the public at the direction, the policy of direction of this Council and I say again that any attempt to establish any firm dates as to when we are going to open this Council and close it is just a muzzling of the public and if we ourselves do that, we muzzle the public. We have got to sit and do the business of the Territory as we create it and as the Administration presents it to us, and as I say. if it takes the whole year to get through a Session and we can see a productive result...fine. Fine. We take the year. That is our duty and that is what we are elected for. I might also add, Mr. Chairman, in case anybody wants to really read about it, check on anotation No. 18, Beauchesnes. It will tell you all about it.

Mr. Taylor resumes the Chair.

Mr. Shaw: I might just make one comment, Mr. Chairman. have, out of this discussion, arrived at one point whereby we established...the possibility, I should say, of establishing set dates of when Council should commence. I think this appears to be generally agreed. It would be very difficult to set the finishing date although a target could always be set as an interim measure to see if it is possible to get through this. However, I will say this, that I do not recollect at any time getting such prompt answers to questions that Council has raised. We are getting answers very quickly and that in itself, I think, cut off, in itself, and will have cut off many days in this Session by getting these prompt answers and if that continues that way, and I expect it to. I think that we will find that we will accomplish a great deal more work. There's nothing more frustrating than being at this table and trying to get information and you can't get information for a long period of time and when I say a long period of time, Mr. Chairman, just prior to this Council

Mr. Shaw continues:

SETTING COUNCIL DATES

Session, I got hosts of Sessional Papers giving answers to questions that had been raised, and Motions that had been raised, four and five months after they had been put. Now, that in itself is very frustrating. When you get the answers to your questions, you know what the score is and it expedites the business by many, many days.

Mr. Thompson: Mr. Chairman, I think that we have made tremendous strides already in this Session towards cutting down the length of time that it is going to be necessary for us to sit. I think, as Mr. Boyd has pointed out, we are entirely at the mercy of Administration as far as our work load is concerned. We have seen this by the mere fact that, as has been pointed out, the unavailability of certain legislation to come before us so it is quite a simple matter to, I think, at least make an effort to establish a target date for the length of our sittings and it will be entirely up to the Administration to consider the amount of work load that would be required in any one sitting. I think for this reason and as Mr. Shaw has pointed out, the tremendous co-operation at this Session by Administration and I think this is due entirely to our new Commissioner, I am just hoping that the honeymoon lasts because we are having nothing but the greatest amount of co-operation. As people have stated, we are getting answers that probably we wouldn't see until probably just before the Spring Session...to questions that we are asking now. So, I think that these are very sound suggestions. I think that between now and the end of our deliberations we can probably get together and discuss this more fully, but I think that it should certainly be something that we keep in mind.

Mr. Commissioner: Could I ask a question, Mr. Chairman. Could you possibly either instruct or permit one of your Members, say the Speaker, to allow him to consult with myself concerning a suggested all around agreeable date for the Spring Session so that he in turn could talk it over with you as Councillors?

Mr. Chairman: Well, Mr. Commissioner, this would be something that would have to be decided in Council. We are in Committee state at the present time and as it involves the Council, I think that's the proper place for this to be done. Is there anything further, gentlemen, on this item, the opening of the Spring Session?

All: Clear.

Mr. Chairman: Gentlemen, we were discussion Sessional Paper No. 30 with respect to Office Accommodation for the Yukon Territorial Government. I think at this time we will call a recess.

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Mr. Chairman: We will call the committee back to order at this time and we were discussing Sessional Paper #30 with respect to finding accommodation for the Territorial Government. Anything further on this item?

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SESSIONAL PAPER #30

Mr. Boyd: Well Mr. Chairman in the first place the 20,000 feet in Building 200 that was offered to us is no longer available. I think there is a paragraph somewhere along the line that we will install the office partitions at our own cost. This sounds rather odd to me. If we are going to lease these offices the size is going to be indicated and they might as well be included in the contract. I find it most difficult to believe that this urgency is sufficient to require this vast movement. It seems that the federal government is really paying the bill whichever way it goes and it seems like a loss of money to act this way. I notice that the tender calls for a ten year lease and we have now reached the stage of some kind where we are only leasing a portion of the tender for 10 years and the other portion for one year which means that after the first year is over we will not know what this building is going to cost us for the next nine years. This doesn't add up in my thinking and with all our talk and arguments now we will accomplish nothing. This is one of those things that is already in the fire. Now, our Commissioner, I feel that the onus is on him now. When he goes to sign the agreement I think this is where the responsibility lays. Unless Council wants to take th attitude that they are going to go into this thing and demand papers showing how the lease reads and many other things that really is administration's job then there is not much point in carrying this thing further. I also notice, if I read this memo right, that we actually have total space in use of the Territorial Government is 20,800 square feet and they require now including total space needed including future requirements is 31,400 square feet. So now here we have about 10,600 square feet that we are needing at this moment. According to the memo I received yesterday we are going to lease 13,200 square feet of office space. It would seem here we have 2,000 square feet and possibly here the Territorial Council could have their chambers in a portion of this 2,000 square feet. I am not going to say anything more on this. I don't like it but as I have said, as far as I am concerned the onus is on our Commissioner. He signs everything and is responsible for everything. I am not trying to be crazy, I know what goes on but this is one place where his signature goes on something that he would be very interested to know what his signature is attached to.

Mr. Shaw: It does appear from the discussion that there is a slight disagreement policy arrangement. There are a few questions that would arise from this discussion, I have two. Council appears to me to disagree very much with the fact that we are going into a rental agreement on a very long term basis. There is a great shuffling around of things which Council seems to object to very strongly. I do. In spite of Council's objections I realize that we could discuss this in Ottawa, but these deals have been made and say Council does object unanimously to these deals. It boils down to the fact that that is the way it will go anyway and do we have any say in the matter apart from the negative reaction and not passing the rental vote for this particular motion. Could Mr. Commissioner indicate to Council whether this is a fact, this is the way things are going to be, or would out objections change this policy?

SESSIONAL PAPER #30

Mr. Commissioner: Mr. Chairman, the provision of adequate working space for the people who work in the public service, who are required by the administrative headquarters here, is the responsibility of the administration to see that this is provided. The authority that this is provided under is a fiscal policy whereby money is voted for the provision of office space and this pertains to the regular budgetary requirements. In so far as the policy or nonpolicy of occupying leased premises as opposed to government owned premises, I am not too sure whether there are any firm guidelines either directive from Northern Affairs or the directive of Council here that steers a firm course one way or another. In so far as to what has transpired with this building, the people who were left in charge here at the administrative level had seen fit in their wisdom to proceed with this and they have done so and there is little that I can do at this stage of the game to change this particular course of action. It is a course of action which they saw fit to take and as I see it Mr. Chairman this is exactly where the matter stands with regard to the provision of this accommodation at the present time.

Mr. Shaw: Mr. Chairman, the point that gets me is the fact that we did discuss this at length and we got a building for \$2.75 a square foot for over ten years or so. From there on that seems to have given a carte blanche policy of continuing this type of leasing arrangement but it went from \$2.75 to \$4.50 or \$4.75 or somewhere around there. In the year this rental has doubled. The policy I believe when it was first given to Council was for the fact that this would help the local people and keep the economy going of the Whitehorse Well, in my observations this is just a means of someone getting to make a lot of money on a sure fire rental proposition that you can't miss. In other words, you get a contract like this and all you need to do is go to the bank the and get the money. So these people that have finances certainly do well on something like this and I think personally that this is at the expense of the people. It can't be anything but that and as a temporary measure I think it is very sound that we have got to have someplace to put the administration. I agree with that, we must have working space for people, as a temporary accommodation. We were given to understand that we could move up into this #200 Building and that was pretty well all accepted. This is ten years and that is a long time to have a lease. It is just something that I can't subscribe too and can't appreciate. I sympathize with the present Commissioner as he had no say whatsoever in the matter and he has to carry along with what is done, what has been done. It is something that was cooked up somewhere along the line and I am sure that on a long term business it would be much more practical to have their own property. It's fine to go and rent from somebody for a short term basis but ten years to my mind is not a short term basis and I would condemn the policy myself. It is going to be uneconomical.

Mr. Thompson: I think as the Commissioner has stated that this particular transaction with reference to the one with the Lynn Building is something that has been done and as he states in due wisdom, etc. There are only two comments I would like to make and one of them is it's inconceivable to me that we would ask for a particular building, we have given the necessary specifications at great lengths. You can derive from what you will with reference to those specifications but where it comes to a point of preparing an agreement between the Territory and the people who are supplying this. The administration says the preparation of this agreement will be

Mr. Thompson continues......
left in your hands. This seems unbelievable because we are
the people who are doing the renting and I can't see where
they should have the contractor have the preparation of the
agreement. I am wondering if the Legal Advisor can tell me if
such an agreement has been prepared, if it was prepared by the
lessee and if it has been signed. Is it a firm document?

SESSIONAL

Mr. Legal Advisor: I was just trying to fix in my mind the PAPER #30 sequence of events. Documents consisting of a form of lease for the janitorial agreement reached my desk and I am really not sure what the date was. It was sometime in October and I studied it and made certain observations about the document and I did advise the administration that in the form that the document was presented it was not one that I could advise the Commissioner to sign. There were legal technical aspects involved and the document was divided into two, the lease on one hand and the janitor arrangments. Under the janitor arrangements, as the result of discussions, the lessor had set out his covenance to provide heat, utilities, etc. I pointed out to the administration that if this janitor arrangement was terminated at the end of a year or some period, the administration would be left with no guarantee of it's position regarding heating. The effect, you see, of a covenant in a lease, is that you can register the lease and this compels the purchasor of the property to assume the obligations of the original lessor. If you can't put them on notice, if the property had been dealt with like this then the janitor arrangement would have fallen to the ground and that puts the legal technical weakness in this split concept of the lease in one hand so I had to advise the administration that it would not be to the advantage of the administration of the Yukon to accept that form. I suggested other more detailed criticisms and I in turn set about preparing the best agreement I could in view of the discussions that had gone on and broke it up into three parts, the original lease said the lessor would build. I broke it up in three parts in one agreement in which he undertook to build the building according to the specifications and undertook the lease and then also a separate janitor agreement. I incorporated into the agreement of the lease the covenants which had to go. This was typed up and submitted for discussion with the lessor and his colleagues. The effect of course of taking these main covenants out of the janitor agreement was to reduce the need for a janitor agreement to almost a complete waste of time and paper After discussion we agreed that we didn't really need the separate janitor and they would accept the lease in the new form. At the discussion they were quite happy and they then took what I had worked out and retyped it and it has been resubmitted and from a legal point of view now the agreement does give us protection on the covenants. Where it stands now, whether there has been further correspondence I don't know. The document would now require typing up in this new form. I think that is the stage it has reached.

Mr. Taylor: A question from the chair, am I to understand that the document has not been signed?

Mr. Legal Advisor: I really can't answer that, my information on it is a few days old. As far as I am concerned it is a typing job.

Mr. Thompson: Could I ask the Commissioner then if this agreement has been signed?

Mr. Commissioner: No, the state of affairs as stated by the Legal Advisor as to where these documents are at the present time, whether it is in the process of being perfected from a legal point of view. Is that your opinion Mr. Legal Advisor?

Mr. Legal Advisor: I think it is being processed.

SESSIONAL PAPER #30

Mr. Watt: The Commissioner said that it is beyond his hands, beyond his jurisdiction. He intimated that there was nothing more he could do about it anymore. Has it gone beyond the state where you can do anything about it?

Mr. Commissioner: I would have to get further legal advice on the matter but it is certainly my understanding Mr. Chairman that letters of intent have passed between the administration and the vendors of the building and except for the protecting of the agreement as we have intimated this is where the matter stands and there is basically speaking, it is beyond any ability that I would have to make any basic changes.

Mr. Legal Advisor: I thought I saw an advice by the administrator regarding the acceptance of the low tender. That is in sessional paper 30. I haven't seen the actual document. On page 3 it says; "Subsequent to the examination of the tenders by the Treasury and Engineering Departments, the following letter was sent to all interested parties. It was dated September 27th and signed by the Administrator, who said I have to advise that the bid of Lynn Holding Co. Ltd. for the provision of approximately 13,500 square feet of usable office space for this Government in a location close to the Federal Building, Whitehorse, has been accepted." A letter went to Lynn Holding and I haven't seen those letters. I would have to study them and all the surrounding documents to advise you on that point sir. Certainly the parties have gone a long way towards committment.

Mr. Shaw: Mr. Chairman I am just astounded to have a legal advisor right in the seat of government here and he has not full knowledge of each and every transaction that has gone on on a big deal like this. It appears to me that this must be Ottawa inspired and carried through and pushed through and the stamp of approval has gone through on it. If you like it fine and if you don't like it well there is just the same sort of proposition, you can just swallow it. It could have been \$5.00 or \$6.00 or \$10.00 a square foot—it would have been the same thing. It is a type of business that I disapprove of and if this continues as far as I am concerned it seems the Territorial Council are trying to do the best for the people of the Yukon Territory and at every phase it is a waste of time.

Mr. Boyd: One more question. I wonder if the Legal Advisor was saying that in the present document that the one year lease referred to is no longer of substance and that we will now have a document that gives a firm cost for the ten year period and there will not be negotiations after the first year in so far as services are concerned.

Mr. Legal Advisor: Subject to checking my recollection I think the rental agreement now is an inclusive figure of \$5.60 a square foot instead of the two part arrangement instead of the \$4.35 and the \$1.25. At \$5.60-before you would have a situation where you would get the janitor, heating, utilities for a year and you will now be getting them at a fixed price over a ten year period. Due to the rising costs I feel that some advantage has been gained. That is what I understand now the figure, but of course the basement remains unjanitored, unserviced, etc.

Mr. Taylor: I am really astounded. I thought it was bad yesterday but today the plot thickens. I believe the tender call calls for provision of suitable office accommodations in the Territorial Government. There have been plenty submitted as I see in this document in the last bundle which sets out so much per square foot and some of it has been scratched out. There is one here for \$4.35 per square foot for Lynn Holdings SESSIONAL and at the top it now says \$2.60 and I don't believe all this. PAPER 30 In janitorial service says they were to tender for janitorial service for a year to year basis and now we are told that since this tender was accepted that the janitor service is on a ten year period at a fixed price. I am wondering as to how many changes have been made to this thing because it is quite possible that one of the bidders here given the opportunity could have come up with a better deal. This doesn't detract, of course, from the idea that I am against the whole proposal. The manner in which this is being presented as absolutely deplorabale.

Mr. Watt: Mr. Chairman, I would just like to say that Mr. Shaw may have a point when he said this may have been accepted by Ottawa irregards to whether the price was \$7.10 a square foot. Ottawa sent us guidelines when we first negotiated for space and I think the price they gave was if the price was over \$2.80 then it was cheaper to build, if less than that then you can get a pretty good offer. So I think the price that George said and that he was right. If this is as I understand this is out of the Territorial coffers. This isn't the situation like the jail where it was federal funds and they were paying the funds but this is by the Yukon Territory and there is a big principle involved here. If Ottawa is going over our heads and negotiating with private enterprise for a building such as this and then coming to us and asking for us to pay the bill. I think we should be informed and again look at our terms of reference here in Territorial Council and find out what we are here for. I would like to suggest that Ottawa be contacted and find out what part they played in this and if it is going to continue. Possibly Mr. Commissioner can shed some light on this but as far as we are concerned every Councillor in here has said they didn't like this deal and what we are doing is passing a vote of nonconfidence in the administration. We should find out what part Ottawa has played in this. Have you any information on this Mr. Commissioner.

Mr. Commissioner: Not without getting this information Mr. Chairman I don't have anything available right off the top of my hat.

Mr. Taylor: Mr. Chairman, I would strongly suggest that two or three things be done here. In the case of this Lynn Building I don't think that this agreement should be signed by this Council. I have seen letters of intent in business deals and from time to time the other party has backed out. It is the signing of the agreement that is the whole crux of the thing. I would suggest that this not be signed until this matter has been thrashed out and resolved. Number two is that I think as an alternative to renting office space for ten years I suggest that a site be located in the area around Whitehorse for a parliament building site and I would suggest that we inquire from the Territorial Government as to what type of building would be required. I think this great move or shuffle should be withheld until at least the Spring Session until we can have this information available. I think our ability to negotiate as a government should be good enough to remain where we are in our present administrative branches. If we move up the hill or down the hill it matters less. I notice in here too that this parking seems to be a great consideration. discussed a transit system to sort of subsidize the City. I think that these are the things that should be done until this Council can get to Ottawa and discuss it there.

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Mr. Boyd: Mr. Chairman; I can hardly believe my figures and I may be wrong but it seems to me this lease deal is going to cost us \$82,000 a year and in ten years that will be a million dollars if my figures are right. I don't think that this building is going to cost anything like half a million dollars and if I am right I would stand to be corrected but if this is so then I would suggest that we have got to stop and look and calculate where we are going. I am dead against paying a billing for some private enterprise and using people's money. to do with it. I would rather take that money and build the building ourselves and in five years own it. If anybody has anything to say about the figures say it but somebody has got to do some thinking here. It is one thing to lease a building for \$5.60 a square foot. It's like getting a General Electric kettle, if it is worth ten dollars you know what you are getting but if you are going to get a kettle made by anybody that costs six dollars you are only getting what you are paying for. This is a point to look at here. It never hurt anybody to tell us or show us a picture of what we are getting or of what it contains. What did you accept? What will this new building look like inside? So far none of this has been shown to us and I would like to suggest that Commissioner Smith take Council into confidence and show us the architect's drawing. Has it got windows? If there are no windows as suggested here then wehave a box. We are going to put in the framework and do all of this? I don't know but this is the way it sounds and I think it is time somebody raises their back and tell us and let's get through with this bickering.

Mr. Shaw: They seem to be finding difficulty in getting area. We have lots of room in Dawson City. I think it would be more economical in the long run anyway. There seems to me to be a restriction on where this building must be and that it must be close to the federal building. I don't see why. None the less we have gone over this to some extent and I don't know how much further we can go. You can say maybe it is a dead horse. It seems to be a fact, however, I do think that I don't know what committments the government is doing. It appears that they signed the agreement or the letters of intent that we are stuck with a very losing proposition. I think that this next trip we make to Ottawa it would be a wonderful opportunity to give our version of what the Territorial Government should have in the way of buildings and do it in as strong a manner as possible.

Mr. Taylor: Just before we recess it seems to me that there must be a file on this from phase to phase and possibly this can be located and provided at two this afternoon and give us the information we require.

Mr. Commissioner: Well Mr. Chairman, in my complete and total knowledge of what has gone on with this building it is far from complete in the sense of the word that I can sit here and offer answers to these questions. There are certain aspects with dealing with tenders that I am told, certain ethics are preserved when it comes to plans or details on plans and as a consequence I think it would be rather difficult for me to bring to this Council table all the aspects of this particular thing that Council would like to see. I would have this suggestion for your consideration to offer to you and that is if Council would name a time and have an informal get together with me in my office I would be happy to have the legislators there to provide the answers.

Mr. Taylor: This is the office of the people and I object to any informal get together. We are discussing a million dollars of the people's money and this is the place to discuss it. If there is a file and I think the discussions should be held right here.

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Mr. Boyd: I suggest that we recess until two o'clock this afternoon.

Mr. Chairman: At this time gentlemen I will declare a recess until two o'clock this afternoon.

RECESS

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Thursday, November 17, 1966. 2:00 p.m.

I Your Garage Comments

I will now call this Committee back to order. SESSIONAL Mr. Chairman: (All Councillors were present, as well as Mr. Commissioner and Mr. Legal Advisor). We were discussing Sessional Paper No. 30, Office Accommodation for the Yukon Territorial Government.

Mr. Boyd: Mr. Chairman, we have discussed this now, frontwards and backwards. I think we have got to the end of the discussing period as far as I can see. I would like to suggest that we pass on beyond this Sessional Paper with the understanding that if the Commissioner elects to sign lease papers covering this particular subject, he does so without Councille bloomissioner. without Council's blessings. iliana -

Mr. Thompson: Mr. Chairman, we have Mr. Commissioner with us and I see he has great reams of paper and diagrams, maps, so I would imagine that conceivably he has a few answers that he can give us in relation to some of the questions that were posed here this morning. The state of the state

Mr. Commissioner: Mr. Chairman, I don't know whether I have any particular answers any more than have been given, Mr. Chairman, but I have gone to considerable trouble during the recess period to get information that Council may find of value to it. First of all, I have contacted Mr. Lynn and I have secured his permission, as a matter of courtesy, to table for Council the complete plan of this proposed building. Secondly, I have had my senior Administrative people procure for me all the files that I could suggest that contained possible correspondence and information pertaining to it and if Council so desires, I would be very happy to give them this information.

Mr. Thompson: Mr. Chairman, could I make one observation. I don't think that the subject matter or the actual contract as such is of too much concern, but it seems to me that the underlying current or the feeling is that the Agreement that is about to be signed is not exactly what was approved or agreed upon at the bid opening, and it seems that there is some feeling that there may be some negotiations between the Administration and the Lessee and if this is the case, then it would appear that all parties should have had the same opportunity. I don't know...probably the detail that you have, Mr. Commissioner, could conceivably clarify this position, but I think this is one of the underlying factors in this whole discussion. 1023

Mr. Commissioner: Mr. Chairman, I have not had time to completely appraise myself of all the detail that has gone on in this thing but there is approximately three file folders here and there may conceivably be others. At the moment, I can tell you this that my Administrative Officers, in whom I have nothing but the highest trust, advised me that there has been no basic change in what the original proposal was insofar as the dollar bills that are going to change hands for specific purposes are concerned. Now, I have not had time to go through these files to see exactly what has transpired along these lines but I am perfectly confident and satisfied, gentlemen, that if anyone feels that there has been any not entirely above board dealings here, if they would draw the items specifically to my attention that they would like to have me investigate, I give you my assurances, Mr. Chairman, it will be fully investigated. Beyond this,

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SESSIONAL Mr. Commissioner continues: Mr. Chairman, I am sorry but I simply do not have the time available to me at the moment to have completely perused every word that has taken place, but if there is a specific thing that Council wish me to investigate thoroughly, Mr. Chairman, I would be very pleased and happy to do so a chair

> Mr. MacKinnon: Mr. Chairman, yes. I will go along wholeheartedly with the Commissioner on this and I feel, yes, there is questions. There are questions from firms that have made bids on this particular project and there are questions concerning the change of structure of the type of building that we were asking for. As to whether it was a two, three, or four story building, I am not definitely sure. In furtherance to what I am saying, I would like to ask the Commissioner if he has the assurance that the Lynn Holding Company is a Canadian firm.

Mr. Commissioner: Mr. Chairman, I cannot answer that question. I can certainly find out, Sir, but I cannot answer that question, Mr. Chairman.

Mr. MacKinnon: Yes, Mr. Chairman, I could only suggest to Council that we do not go along with this particular Sessional Paper until all these questions have been answered, and I would suggest that we move on to something else and hold this particular Sessional Paper in abeyance until we have had time to satisfy ourselves that we are doing right for the people. There's a lot of things about this particular building that I don't like....one is that we have a Financial Advisory Committee ... I think the best we could pick from this table and they had no knowledge of a tender being called. I understand that a tender is usually called by three applications in a public newspaper. I understand that this was only called once. I would like to have the Commissioner. correct me on this if I am wrong.

Mr. Commissioner: Mr. Chairman, I cannot confirm or deny this situation. Mr. Chairman, if possibly these questions that Council would like to have answered could be enumerated and put down, I would do my very best to get these questions answered. I am here to co-operate with you, gentlemen, in every way that I possibly can, but as far as being able to answer a lot of these things, gentlemen... I am sorry. I would have to have time to look them up properly.

Mr. Taylor: Mr. Chairman, I think at this point that, having looked into many of the basic aspects of this problem and we've got a real problem here, I don't think that any lease agreement should be signed by Mr. Commissioner in respect of this building until such time as this matter is resolved and the Council agree that....to enter into a Lease Agreement of this nature, Mr. Chairman. I really don't. I I am wouldn't want to see an Agreement signed at this point until a clear cut opinion of Council has been expressed. As I say, ac there may have been some purpose in this, but until Council is made fully aware of all the ramifications and involvements of this thing, I don't think any Agreement should be signed as at this particular moment, and this is my prime concern, so that we may have time to better get these questions answered and to decide what we are going to do because if we allow the signing of this Agreement at this particular time, knowing that it has not been signed, in future years a future

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Mr. Taylor continues:

Council will say, "Okay. This Council did it in so and so. PAPER #30

Why can't we do it now?" So why establish precedent now?

It was established once before and the Federal Government had to pick up the tab. There's too much at stake now.

Mr. Commissioner: Well, Mr. Chairman, I would just remind Council that I am in no position to assure you that my signature is not simply a formality. I am in no position to assure you.

Mr. Shaw: Mr. Chairman, my main concern, of course, is the policy of renting opposed to owning buildings. I will restrict that to that. I have a question, Mr. Chairman, a supplementary question to this that I would direct to the Legal Advisor. If the Legal Advisor can't answer it, maybe the Commissioner can. If the Commissioner can't, possibly an answer could be gotten. I would direct this to the Legal Advisor. (a) Has this matter reached a stage where we must go through with the acquisition of this building as a rental proposition and (b) Can this be negotiated for a lesser number of years than ten years?

Mr. Legal Advisor: Mr. Chairman, I can attempt to deal with the first. On the basis of the papers that I saw this morning, the Lessor would certainly come forth with strong arguments. I am not going to say that the Agreement has reached the point of no return because, on the one hand, the Lessor is dealing with the Government, the special position of the Crown must be taken into consideration. I have not time to study documents. It would probably take weeks of very careful examination of the authorities before I would be prepared to give Council a firm opinion. With regard to the negotiations, I would refer that to the Commissioner. I have been only to one meeting. I don't know what harmony exists between the parties... renegotiate anything if the situation should require.

Mr. MacKinnon: Mr. Chairman, I have a question for the Commissioner. I am interested as to whether the Lynn Holding firm had an architect draw up their plan or was their no architectural work done on this proposed building at all... on the contract we have accepted?

Mr. Commissioner: I will take a look and see who signed their plans. I don't know. J. Keating and Company, Consulting Engineers, No. 2 Ventures Building, Edmonton, Alberta. I see no other name attached here.

Mr. MacKinnon: Would you suggest that this is an architectural firm?

Mr. Commissioner: Mr. Chairman, I am sorry. I haven't any idea at all.

Mr. Boyd: Mr. Chairman, I wonder if we could find out if there is a date on those plans?

Mr. Commissioner: It just says October, 1966.

Mr. Watt: Here it says September 24, 1966.

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Mr. Commissioner: Gentlemen, these plans are here if you want to see them. Go right ahead.

Mr. Chairman: Any further discussion, gentlemen?

SESSIONAL Mr. Watt: Mr. Chairman, I think Mr. Smith had a pretty
PAPER #30 good idea. He could possibly get us some of these answers.

I am still puzzled....Mr. Shaw on one hand said that he thought that there was something wrong....Ottawa was doing it....and he suggested there might be a little bit of skulduggery.....

Mr. Shaw: Mr. Chairman, I didn't suggest anything about skulduggery.

Mr. Watt: Well, above board or something. Anyway, it seems to me that the prices that were quoted for this particular thing seems high compared to the other prices we have had and seeing it has been a little unorthodox in this way....
Mr. Commissioner, I believe, at lunch hour said it would be a heck of a good deal, so my feelings are mixed so I would like to see everything tabled in kind of a concise form ... table us a form and let us know to what extent the Federal Government has participated in this and if it has been strictly a Territorial problem and we participated in it to here at the Territorial level, then it's a local problem, but if it's been done by the Federal Government, then it's the same position as the Dawson City Festival. We're just called in afterwards to pay the bills...or the jail..or stuff like that. I wouldn't worry too much about it then. Let them foot the Bill if they want to participate to that extent. My feelings are mixed right now. If I go along with this Sessional Paper...a lot of questions are being asked of me...this sounds like an awful lot of money and there are a lot of complaints around town...and about the previous deal with the Casca Building. Well, we can justify that because Ottawa gave us a line under which it would pay us to rent it, but this particular case...we have far exceeded the line that had been drawn by the Federal Government two years ago. As both Mr. MacKinnon and Mr. Boyd have suggested, I would like to see this held in abeyance and let the Commissioner come up with more definite answers and if he cannot do it, there must be people, either the Federal Government have made this deal, participated in it, or the Territorial Government. One of the two. Somebody did. If it was the Territorial Government, it should be a very simple matter to get the people down here that did participate so we can ask them some questions. If it's the Federal Government, then it's a little different story and I don't know just to what degree we should have to participate in paying for this. I am in favour of holding it in abeyance for the time being and carry on with the budget and get more information on this. I am sorry to say this but Council is taking up an awful lot of time on this and it's primarily an Administrative problem but it's gone to the point where we have to do something about it to justify the expenditure.

Mr. Shaw: Mr. Chairman, I will just take up a little bit more time on this just to clarify matters. I am sorry if I gave the implication that there was skulduggery in this particular matter. Skulduggery to me is when you have matters of a crooked nature, and I don't think I have inferred, or I had thought about it being crooked. My whole philosophy or attitude in this, Mr. Chairman, is the fact that I object to this kind of a proposition. I object to the manner in which it is done. In other words, the Council have had no consideration whatsoever in it. The Administration of Northern Affairs. I say Northern Affairs because it must be Northern Affairs that have gone ahead and done something which I consider is a very poor business proposition for the people of the Territory. That is my opinion. I would have to have some proof before I could say there is skulduggery involved. Another matter

Mr. Shaw continues:

that Councillor Watt brought up in this relation...the PAPER #30 position that Commissioner Smith is in is the same position as I was in in the Dawson Festival. He has my utmost sympathy.

Mr. Commissioner: Mr. Chairman, sympathy is in the dictionary. It's under the s's.

Mr. Taylor: Mr. Chairman, as Mr. Shaw has pointed out, we answer to the people and what we do goes back to our constituents and they say "Well, why did you people permit this?". Under the existing circumstances we can say we didn't permit it at all. The only way we can't permit it is not to pay the Bill. As I say, as far as I am concerned, if the Commissioner signs this Lease Agreement, I for one, on behalf of the people that sent me here, am not going to add myself to the condoning of this thing. I think it is being done in poor taste. I think everybody, certainly the Administration, know that Council, in order to do its job on behalf of the people, always must approve these things first. It has always been done in other things and for some reason this was bombed and rushed through this summer without consulting either Council or its Financial Advisory Committee and I would hope, sincerely hope, that Mr. Commissioner does not sign this Agreement until we have resolved this thing one way or another.

Mr. Commissioner: Mr. Chairman, I would not assure Council that I would not sign the Agreement because my signature now, gentlemen, is only academic. I will be taking the advice of my Legal Advisor in this matter. I will not give this assurance to the Council. I would have to be guided by my Legal Advisor.

Mr. Thompson: Mr. Chairman, this brings up a very interesting observation. When the Legal Advisor spoke on this matter, he said that he had only attended one meeting between the Administration and this particular concern, Lynn Holdings, and I think Mr. Shaw made the comment previously that for something of this magnitude it seemed inconceivable that the Legal Advisor would not be an integral part of any discussion concerning this matter so for this reason I think that, here again, there should be some action on the part of Administration or the Commissioner to see that this sort of procedure is either improved upon or some answer is given. It seems to me that there is an entire lack of liasion in the Administration in this respect.

Mr. MacKinnon: Mr. Chairman, Mr. Watt brings up the word "skulduggery". Well, I believe the word has merit. On the 24th of September, there was correspondence being passed around in regards to letting the contract for so many thousand square feet of floor space to house government offices. Now, we had a little matter arise earlier in the summer, the 22nd of July, concerning a cottage type hospital proposal at Dawson City. I got a telegram from Administration asking for my graces of approval. On this new proposed office space with the Lynn Holding, I have never been notified. I believe our Financial Advisory Committee sat very close to the time of the 24th of September and I don't believe they were made aware that a tender was being called. Now, Administration need my approval before they can build a hospital in Dawson City but for office space for our Government, they don't need Council's approval. It's very plain. I have the telegram for any Member that would like to read it and I also have on file a letter, two letters, to entice me to give my personal approval to a cottage type hospital in Dawson City. Signed F.B. Fingland, Administrator.

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SESSIONAL Mr. Chairman: Any further discussions, gentlemen?

Mr. Shaw: I hope that Councillor MacKinnon did give his approval, Mr. Chairman.

Mr. Thompson: There is just one other point that I would like to make with reference to this Sessional Paper and that is the part in here that deals with the Personnel Department and although we had Mr. Ritchie, who was interested in the revision of the Ordinance respecting Territorial employees, into the discussion crept the possibility of the extension of the Personnel Department, and I see in this Sessional Paper that the Personnel Department will be given the offices vacated by the Executive Assistant, the Administrative Assistant and the space presently occupied by Indian Affairs and Northern Development. If my memory serves me correct, Indian Affairs and Northern Development have a three office complex which is one very large office and two small offices..three...and two in the Administrative and the Executive Assistants Offices for five, and it was just one of the comments that we made yesterday that we were hoping that this was not to be another new and enlarged Department at this time but rather a section of an existing one. So, I am wondering, in the light of the remarks that were made yesterday, I would think that there would be a considerable amount of revision to be taken into consideration before any of these various moves are instituted.

Mr. Taylor resumes the Chair.

Mr. Southam: Well, Mr. Chairman, I haven't had very much to say yet...not being a building contractor...the figures and details and so on...my whole say against the whole business is that I don't exactly like the way it was done. I think at least the Advisory Committee should have been advised on this certain building, what was about to happen, so at least we could have a little bit to say about the cost. Also, the Council as a Whole should have been advised. I am like Councillor Shaw. I don't know what the big rush is. We have met here and I understand that we are going to get kicked out and so on. I thought at the time, last spring, that when we left here we were going up the Hill. Evidently we're not and so on. I don't know what to say about Councillor Thompson and his Personnel Department, but if you do have a Personnel Department with a staff running from 600 to 1000 people, which we will have in the Territory at a later date, your offices upstairs will just hold your files and that's about all.

Mr. Watt: Mr. Chairman, a thought...I wonder if Administration has ever thought of the possibility of the Territory purchasing the Federal Building. We have to have access to downtown for some of the offices and some offices could be up the Hill, Justice for instance...the Minimum Security Institution...the RCMP have a quarter of the building right here where we are right now. Has any thought been given to this, and if so, could you comment on it?

Mr. Commissioner: Mr. Chairman, the whole problem of space requirements for the Territorial Administration goes back quite a few years, and while I am not fully aware of what has been going on in the past four or five years, this space requirement is nothing new and Councillor Shaw has certainly been around this table long enough to know that this question has been a burning one for many, many years. At the time of negotiations of the present Five Year Fiscal Agreement that we are working under, there was considerable discussion going on with the then Deputy Minister Gordon Robertson and the

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Mr. Commissioner continues: Territorial Council concerning the establishment of a Terri- PAPER #30 torial building complex here in downtown Whitehorse. At that time, no one was prepared to commit themselves as to where in the downtown area this conceivably could be, but there was a great amount of pressure being brought to bear on all Government Departments at that time to locate what-ever of their facilities they could on the East bank of the Yukon River here in Whitehorse due to the fact that we had a large area serviced with sewer and water, and there was some thought given to a large block of land in the Chadburn Lake area on the west slope of Gray Mountain being set aside as a combined university and Territorial Capitol site.

If memory serves me right, Mr. Chairman, this land at one time was, to all intents and purposes, set aside. It may not have been surveyed but it was definitely asked that this ground not be permitted any development for anything else but. I am assuming that in your negotiations of your current Five Year Agreement that funds could not be made available in the capital structure to do anything towards developing either that site or the site that ultimately became part of the Whitehorse Metropolitan Area Plan, starting at the area in which the old Post Office was located, going south towards where the present Library building is. this problem of office space and Administrative area space is going to remain with us, gentlemen, for a long time. Either we rent buildings or we do not rent them. It is my understanding that there is a certain amount of thinking at the Federal Government level that the leasing of space for Government departments is not entirely a bad idea, mainly because of the fact that you are not locked in forever to a building which is either vastly in excess or not nearly big enough for your needs, and I think that this theory was proposed here at the time you became involved here in leasing space for your present Liquor Store operation. Insofar as the thought of the Territorial Government buying the present building, the question that Councillor Watt has posed, Mr. Chairman, I cannot say whether this thought has ever been entertained. I would have this to say that no matter what is going to happen with regard to the ultimate provision of permanent space for Federal and Territorial Governments in this area, it is going to require a very large capital infusion from the Federal Government. I am sorry but I have no ideas as to what kind of capital we are talking about. I have no suggestions whatsoever, but we are speaking in multiple millions of dollars. We are certainly mot, gentlemen, speaking of portions of a million. This would be a very large and extensive investment...one that I would suggest to you is going to take quite a few years possibly of planning and also a considerable amount of co-operation among all Government Departments, Territorial and Federal, to ultimately bring it about. I recognize Council's concern for this particular problem that they see in front of them now. To be quite frank with you, gentlemen, I am entirely sympathetic with the questions that you raise. I have told you that I will do my utmost to answer them in a satisfactory manner so that you in turn can satisfactorily answer the questions that you are asked. As to whether this move is the right move or the wrong move, only time is going to tell. The fact remains, gentlemen, that we have to make a move. This is beyond question. I also think you will find, if you care to go through the correspondence, that the move away from the downtown area is not entirely a practical one. There are not too many Government Departments, gentlemen, that are not involved in

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Mr. Gommissioner continues:
day to day contact with the general public and I think it
is right and reasonable that they should be in reasonable
access to all Government Buildings. The idea that we are
going to be locked into this situation for a period of ten
years, gentlemen, may sound like a long time when you are
looking forward to this, but I think you will all agree that
the speed with which we were able to negotiate with our senior
Government towards the provisions for permanent quarters has
not proceeded very far in seven years, Councillor Shaw? So,
if we are not able to speed up our negotiations, why, we are
going to be looking at renegotiating this Lease ten years
hence and hope that we can stay there unless we are able to
do something of a concrete nature in the meantime.

Mr. Chairman: I have one question from the Chair. Is it possible, Mr. Commissioner, that if the Federal Government do not see fit to loan us the money or provide us with a grant, why can't we go to the U.S. for capital, or Switzerland, or anywhere else in the world, where capital is available for construction?

Mr. Commissioner: Well, Mr. Chairman, do we have the power under the Yukon Act to secure our own...do we have borrowing powers of our own outside of the present Government?

Mr. Chairman: I am not sure.

Mr. Shaw: Well, I think we are a Territory, and have been a Territory for seventy years. In the meantime, all the Territorial Government has been able to procure is the very minimum amount of building scattered over the country like a dogs breakfast. Nothing concrete. Nothing planned at any time. Now, the Commissioner has stated, and quite truthfullly, that it will require a large infusion of capital expenditure to get something that is good for many years to come..that is practical. To me, Mr. Chairman, and I think it would be agreeable by the Members here and also the Administration, a Territory or a Province requires Capitol Buildings, required to be built also in a manner that is sensible and will allow for future expansion, having enough room for that. It didn't take...about a year, I believe...for Parliament to approve a hundred or so odd million or whatever it was for an Exposition at Montreal. It did not take the Federal Government too long to build huge buildings in Ottawa that have gone up in the last decade Centennial Building I think they call one, and John Tupper Building...these are monstrous structures outside the immediate City of Ottawa...out in the outskirts more or less. They are contemplating in the very near future having the capitol of the Northwest Territories in the Northwest Territories, which I think is a wonderful idea, so it would appear to me that unless they have this thinking that they have here of renting, that they will have to, no doubt, put up buildings there for to house the Government in Fort Smith, or Yellowknife, or Inuvik, or wherever they are going to have this capitol. It appears to me, Mr. Chairman, that it is necessary and desirable that each political entity, such as a Province or Territory, should have a capitol, and it amazes me....capitol buildings...and it amazes me that no thought...perhaps thought, but no consideration has been undertaken to lay out a foundation for capitol buildings for the Yukon Territory. Commissioner Smith was on this Council a number of years ago and at that time he and the other Members of Council were looking forward to having the capitol buildings here. In fact, they assured that there was some provisions in the Metropolitan Plan for capitol buildings. I think it was down in Whiskey Flats or some place like that.

Mr. Shaw continues:

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That is where it was supposed to be. That was about seven PAPER #30 years ago and we are no...we are not as far advanced now because at that time we did have plans for it. Now, this is thrown out the window and we have plans for reating. I think that what this Council could well do is to see what we can do about finding a location and seeing if there is some means of prying the Federal Government loose on a long term borrowing plan or anything, or any plan you want to have so we can start this construction so we can have our own offices all in one place and that will be known as the Capitol Buildings and there will be room for expansion and we can get into business. If this matter of leasing this building has been the vehicle by which we can get the Capitol Buildings, it's the best thing that has happened for a long time.

Mr. Chairman: Is there any further discussion on this item, gentlemen?

Mr. MacKinnon: Mr. Chairman, I just hope that other Councillors see fit to hold this Sessional Paper in abeyance. I think it would be very wrong for Council to give their approval of this type of maneuver at this time. I honestly do feel that it is a maneuver and I would like to see it held over until the Commissioner has had a chance to pursue the matter and bring up an answer to any of the questions that have been raised at this table. Until that time, I would be forced to vote against the Sessional Paper. I don't want to vote against it but I feel it must be held in abeyance.

Mr. Chairman: Well, gentlemen, what is your further pleasure? Do you wish to go to Sessional Paper No. 30 at this time?

All: Agreed.

Mr. Chairman: The next is Sessional Paper No. 31 respecting SESSIONAL Separate Schools. (Reads Sessional Paper No. 31). PAPER #31 Gentlemen, at this time I will call a recess.

Thursday, 3:30 p.m.
November 17, 1966

Mr. Chairman: I will call this committee back to order and we will continue discussing Sessional Paper #31. SESSIONAL

Mr. Shaw: Mr. Chairman, I see that the problem seems to be here St. Anne's school where they have three pupils in grade eight. By having these pupils in this one grade does that put the Ferritory to any additional or duplication of expense?

Mr. Commissioner: This particular situation here to the best of my knowledge gentlemen and I will certainly make sure that. I am brought up to date on this but to the best of my knowledge this does not incur us with any great out of pocket expense. I will answer this question further, but in preliminary discussions with the school authorities in this regard this is my understanding. n no.

Mr. Shaw: What is all the fuss about.

Mr. Southam: I seconded the motion and I can see no reason. whatever why we in Elsa have to send our grade eight students to Whitehorse to be taught grade eight and the rest of the Territory do as they like.

Mr. Watt: I sympathize with Mr. Southam but I don't think this concerns the municipal schools. this leaves this in the hands of the administration and I would like to hear Mr. Southam's views on that sometime. I think the head of the Department of Education has said that for all intents and purposes the recommendations of the Financial Advisory Committee have been inacted here so that the amount of money involved is nil. In other words the wishes of those making the motion are in effect without opening this agreement. If we do open this agreement I am afraid that we are in for a lot of discussion and an awful lot of turmoil. I would like to see this left in the hands of the administration and watched and if this does have to be brought to Council at some furture date then it can be opened then and discussed. I would like to hear Commissioner Smith's views on this.

Mr. Commissioner: Well Mr. Chairman, I am not entirely up to date on what Council may feel towards the handling of this agreement. All I can speak on is from the administration's point of view and I can say this gentlemen that we are setting up terms of agreement in a satisfactory manner with the Episcopal Corporation and this matter was taken up with your Firancial Advisory Committee on the 15th of February as indicated in this paper and this is effectively reporting to you the conditions that were brought forth at that time and which exist at the present time. From an administrative point of view we are not encountering any difficulties at our level with this agreement.

Mr. Chairman: Any further discussion on this paper?

Mr. MacKinnon: Well Mr. Chairman, as long as things are running smoothly as indicated by the Commissioner I am in agreement to give it my best wishes and pass it on through Council.

PAPER 31

Mr. Thompson: Well, Mr. Chairman, there is only one or two comments that I would like to make on this one of them is that SESSIONAL they have singled out St. Mary's School in Dawson and the consensus of opinion is that St. Mary's School would be closed as of June of 1966. I would just like to point out that St. Mary's in Dawson has not, is not and was not a separate school so I don't know how it got into the act here. The only reason that we asked these various changes be made and here again I would say that we are merely concurring with the Superintendent of Schools when we backed him up on these two items, was the excess costs that might be incurred by having grades taught that did not have sufficient pupils. I would draw your attention to page 3, section 3, and under number two which is Christ the King. "They are not teaching grades 11 and 12 and down two or three lines, "there has been no firm agreement as to what the enrolment in each of grades 11 and 12 should be before these grades are to be taught in the school". Which means that if they feel like teaching grades 11 and 12 in the school next year under the present arrangement there is nothing to say that they can't do it and this is to my way of thinking a duplication of services and a duplication of costs.

> Mr. Commissioner: Mr. Chairman, one line further on that Councillor Thompson indicated it does appear that the enrolment would have to be in excess of 15 students and that this enrolment was forecast for 1966-67 and yet the parents of the corporation decided that these grades wouldn't be taught. agreement that we have in the conduct of the separate schools is a living document that has to be dealt with on a day to day basis and I think it is also a document that you cannot write everything into. In other words there has to be a certain amount of meeting of the minds between the Catholic Episcopal Corporation, Territorial Administration, and the Territorial Council in regard to these various terms. As the high school curriculum becomes more complex and a greater amount of specialized teachers and specialized classrooms are required each and every one of these facets becomes very real that you cannot write up in the agreement and I would suggest to you gentlemen that no doubt this has had a lot of bearing in the fact that parents of the corporation have decided that even though there are the 15 students available in grade 11 that the children could attend the common schools. If there are any specific questions gentlemen that I haven't the answers to I would be very happy to get them for you.

Mr. Thompson: Mr. Chairman, just one comment in relation to that. I don't think that the parents of the said students would have been of this opinion had it not been presented to Council a year ago and our views at that time been made known.

Mr. Chairman: Any further discussion here gentlemen?

Mr. Boyd: Mr. Chairman, Mr. Thompson has pointed out the situation quite clearly and it seems that the administration or management prefer to operate on the basis of an understanding. This is fine as long as the understanding is satisfactory to everybody. There could come a day when the understandings could not be handled quite so easily as they are now. One point strikes me rather forcibly, our own public school in Watson Lake is not over-populated in any sense of the word and here we have seven children in grade six, three children in grade eight, surely these people are occupying a school teacher and it could be that they could well be in grades where there is adequate room to absorb them. On top of this there

Mr. Shaw: Well, Mr. Chairman, the problem seems to be in St. Anne's School. When that was constructed I did not agree with the construction of this particular school because I felt that it was a duplication of public funds. That is the only way I look at it, in the amount of dollars and cents. It doesn't matter to me whether it is a separate school or a public school but where additional dollars are spent I don't agree. In this particular instance I think they have grade 8 and there is no additional expense involved so I couldn't raise any objections. As I stated it was a vote of Council to build this, there was a majority of four to three for spending this large amount of money to construct and operate the school and it is still a duplication of effort, however that is water under the bridge and the school is constructed and it is there. If this grade 8 was included in with grade 7 and grade 6 I personally wouldn't have any objections. That is my position and I think that I have stated it clearly.

Mr. Taylor: Mr. Southam will you take the chair. Mr. Chairman in this regard, I might say that I agree with Councillor Shaw that it doesn't seem to be presently any objection financially at the moment. Councillor Thompson raises a good point however, if we have an agreement it should be spelled out, this exchange of letters to me is not the best method of amending agreements. Agreements are made and they are to be upheld and if it is the desire of this committee that this be done we proposed naturally that it be done. Now we come back in the Fall and we find that they don't want to do this anymore. I can't make head nor tails out of it. We have an agreement as I have a copy of the agreement and I believe that everybody is living up to it but I can't see where it is presenting problems.

Mr. Chairman: Any further discussion gentlemen? May I proceed to the next sessional paper, this is sessional paper #32.

SESSIONAL PAPER 32

Mr. Boyd: Well Mr. Chairman, I am rather surprised and wondering on this Bear Creek deal. How many families are involved there? Does Councillor Shaw feel that they will stay there?

Mr. Shaw: Mr. Chairman, from my knowledge I do not know of one person who will be purchasing these buildings in this community. It is a beautiful little place, it is well laid out, well I wouldn't say that it was so economically laid out I don't know. I am not aware of any person that will be buying any property that I know of. There are fine houses and they will just sit there. Different persons have thought of buying them and moving them to Dawson and re-erecting them but that meant the big problem of transporting them. So, it is something that would appear to me that these houses will probably just stay there. There will be some people living there for this winter and there will be a person in the nature of a watchman or something like that employed by the company but I don't know of anybody that is intending to live out there and making a

SESSIONAL Mr. Shaw continues......

PAPER 32 satellite community. It doesn't seem to be a very economical proposition unless you can get all of them filled up. I note that the Northern Canada Power Commission has taken over the light and power system and they have taken it over on the first of October and in the meantime myself and other citizens are interested in knowing what the rates will be charged to the people of Dawson City. Whether that advice has come in the meantime since I left there I don't know, but up to last Sunday I don't believe that anybody knows what they are getting charged for light and power. They have been operating for six weeks now and what the charges are for this service I haven't a clue and I am not able to find out. What I am informed of is that the Minister of Northern Affairs would announce it. Whether that is right or not and I wondered if the Commissioner could get the information as to the rates we will be paying for services given by the N.C.P.C.

Mr. Commissioner: Mr. Chairman, the Councillor is absolutely correct. We have been advised that this will be the subject of a public announcement by the Minister.

Mr. Taylor: Mr. Chairman, am I to understand that some of the former responsibilities of what we used to know as Area Development have been transferred to the Engineering Department where professional services are required?

Mr. Commissioner: Well, Mr. Chairman, all axcillary services needed by all departments are supplied from where required. When we need legal advice we call on the Legal Department, when we need engineering advice we call on the Engineering Department, etc. This is absolutely correct as the Councillor has asked.

Mr. Taylor: What I would like to say here is that there has always been a cry here in Council on one point or another. It was out thinking for many years that this department belonged under the Engineering Department in view of the fact that sewer and water systems, townsite planning, certainly were the job for the Engineering Department and professional men as you can see when you look at some of the messes we have got ourselves in in the past few years. As a matter of fact in some instances even the people in Ottawa, even Central Mortgage & Housing gave up in some of our subdivisions and that was my concern. I noted in the opening address that there seemed to be a departure from the normal and I gathered that Engineering would be looking after the streets, townsites, sewer and water, townsite planning and this sort of thing. Am I not correct?

Mr. Commissioner: We are endeavoring to restructure the total operation of your Territorial public service that is in keeping with the demands which are changing all the time. The practice over the years as when a new department has been created or the necessity apparent or otherwise that the new department has been set up with a sole administrative staff and whoever was in charge was effectively responsible to the Commissioner. As I intimated to you yesterday this has resulted in about 19 different departmental breakdowns each one of whom is effectively responsible to the Commissioner's office. This has proven in many instances to be unwieldy and in order to get the breakdown or the responsibilities or the line of authority where it is going to do the most good where it is going to get us the most effective use we are endeavoring to do a certain amount of restructuring and this is part of it here. I assure you Mr. Chairman that we are going to try and get this restructuring done in a manner that where what we would refer to as professional services, engineering services, etc. that they are certainly going to be involved in or directly available to the department that calls for these services. This is basically what we are endeavoring to do.

Mr. Taylor: I hope that in the future we can straighten out the mess that we seem to be in now. I note here, "Ross River, retail commercial, limited commercial, residential PAPER 32 and industrial building sites have been made available." If they did they must have pulled them out of a hat in the last two or three weeks or since I have come to Council. There has been sites which we have considered commercial. If you by a whole bunch of lots you can have a commercial lot and you buy one of them for a fantastic figure in that area considering there are no roads connecting them. You can't buy one lot as they made them so blasted small that you can't build on them and live up to the sanitation laws in the Territory. You have to buy two and that means double the price for the wasteland at \$200 or \$300 a lot and then you have to buy two so your tax doubles and it is a ridiculous situation. As for industrial sites, to my knowledge there are no industrial sites and the townsite that had been initially planned gave no opportunity for expansion of industrial area and it was very poorly organized. Fortunately private enterprise this summer just went along and got hold of various people and said "look we want to build, we have got to get going and get some-thing done", and so I said go ahead and maybe someday the government will be interested enough or the Area Development Department will come and take a look and recognize your existance. They can straighten it out then. It seems that we have done this all the way along the line. Watson Lake is that way, Teslin is that way and private enterprise has had to take it into their own hands and then the government has come down and cried the blues because things were strung out along the highway and people were helter skelter. This is what is happening in Ross River. There are no industrial sites or building sites or otherwise. I suggested this two years ago, the making of the industrial sites for people and mining companies with trailers and cats and this has not been done. I hope that in the future and in future planning and I know I must compliment our Administrative Assistant in this respect, he in company with the Territorial Engineer and the Area Development officer finally came down to Watson Lake and we went all over the problems and the proposals at Ross River of which there were very many and went together and worked out a lot and went to Ross River. I hope in the future Engineering will determine as to how our community will expand and not untrained personnel.

Mr. Watt: I have a question I would like to direct to Mr. Commissioner and I am sure that he is very familiar with the situation. What Ordinances have been passed or what Ordinances are drafted to implement in keeping with the Whitehorse Metropolitan Planning?

Mr. Commissioner: I am afraid I will have to ask the Legal Advisor on this one. I didn't know we had any specific Ordinances in that regard. Mr. Hughes?

Mr. Legal Advisor: Within the City of Whitehorse plans are being implemented under the by-laws of the Municipal Ordinance. It is my understanding there and outside the city the controls are imposed under the Area Development Ordinance. There is no specific legislation or separate Ordinance for the control of the Whitehorse area.

Mr. Watt: Thank you Mr. Legal Advisor. I think that 32 pages of regulations have been passed in order to implement this. Isn't that correct? I know that in this Whitehorse Metropolitan Plan recommendation that, "Number one, this recommendation

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Mr. Watt continues..... required implementation by means of a Territorial Ordinance. Number four, this recommendation requires implementation by a Territorial Ordinance." Number 7, number 8, number 9, number 11, number 14m all the way down the line implement these. It says here that if it is within the city limits it requires a municipal by-law which they are doing I believe. If it is outside the city limits, according to the Metropolitan Plan, it would require a Territorial Ordinance or in some cases, negotiation with the muncipal or Territorial government and in some cases all three governments. But one of the main ones including number one requires implementation by means of a Territorial Ordinance. Now there have been 32 pages of regulations passed and we have had very little say in it and we have had no say in it. They should of least have had to pass the Territorial Council. I have asked that these be tabled here. I am not sure what the up to date regulations are. Every once in a while I get a note in the mail saying that I am doing something wrong under a new regulation. So I come running around down here and try and amend up the few fences, I may have done something wrong and that these regulations have been passed. It is not just myself, it is everybody outside the city limits. I think these regulations are illegal and I think that they will be tested in court and I don't think it will be very long. In this paper it says, "In order that this Department may work entirely on matters pertaining to Municipal Affairs and Public Housing the administration of land, which is under the control of the Commissioner of the Yukon Territory, has become the responsibility of the Supervisor of Lands. In this regard the Supervisor of Lands will be directly responsible to the Commissioner of the Yukon Territory and the administration and disposal of all Crown lands will henceforth be in the hands of one agency." Now I don't think that is right. This is 80% of the commercial property that the Territorial Government has control of and we are turning it over to one man in one office who can virtually put quite a few people out of business and he can put them out of business and he can put them in too. He can make it the difference between profit and loss. Now, this should not be. This is not right. I don't know what we can do about this. I know that you have a powerful established interest in Whitehorse that have pressured this thing from the beginning to the end and I know we have a plan and a guide but a lot of these recommendations have caused a lot of trouble already. We had a lot of trouble this summer with some of them. It is simply because the administration of this is in the hands of one or two people that are not in contact with those that are living in the areas. They are living in cloud nine, in an ivory tower in the federal building here. The only way that we can penetrate this is not through the Commissioner's office. I tried this. It is to write something to really blast them in the newspaper. It is the only thing we can do. That is the only thing that has any effect and this appears to be what we are going to have to do in the future. Now, I consider those regulations as far as I am concerned really we had a complaint last summer and this person was turned down in their request and it is a matter of a few people getting together and saying well that is okay, we didn't have to pass any regulations or anything else, we will just change this like that. Now this is not right. You are leaving this not in the hands of the people that are elected but the people that are appointed. This is a big item----this is half the responsiblity of the Territorial Council. I don't believe that this is right at all. As far as I am concerned some of the regulations are good but there are some of them that shouldn't be there at all and I wouldn't have passed them. That is why they aren't before us---we wouldn't have passed them and I would like Mr. Legal Advisor to explain how these have been implemented by regulation and not Ordinance.

Mr. Legal Advisor: In due respect to the people that framed SESSIONAL that plan they were town planners not lawyers. They made PAPER 32 their recommendations without reference to consideration of the existing law of the Yukon. The Area Development Ordinance provides that the Commissioner may make regulations for the orderly development of a development area respecting zoning, allocation of land, residential, industrial, educational, agricultur.1. The view was formed that in the spirit of that Ordinance it is possible to pass the regulations needed to establish the plans. Now I don't have a day to day familiarity with these different regulations but it is my belief that they are founded on the model by-laws which were set up by the planners on that occasion. There may be some departures, I don't know, I haven't examined one against the other for about four years so that I am net too sure of the present state. the same time I understand that the city by-law provisions are twins of the regulations as near as possible so that if the city should expand there would be no dislocation, no That is disharmony between the regulations and the by-laws. my understanding but the view was formed that the need for a specific Ordinance was considered and the view was formed that these regulations could be made under the Area Development Ordinance. If there is a contrary position I would certainly arrange for it to be examined.

Mr. Watt: Last summer we had an occasion here in which every time they asked a member of this department that we have given all this authority to changes, then his interpretations changes. So we get a new interpretation of an act that is causing a lot of confusion and hard feelings and senselessness in this Whitehorse Metropolitan area. I went to the administration to try and instill a little common sense and was told there was nothing to do about it. I went to this department and was told, "well tough bananas". I wrote something in the paper and it was straightened out shortly afterwards. was a reappraisal of the situation and a change which is fine but why did I have to do that and what are the results of my doing that. This individual comes up to my property there and he says we are going to charge 10¢ a yard for everything that you moved off your property and I said that is fine as long as you charge it to everybody else. He said I am going to give it to you in writing and I am still waiting for it and I want him to give it to everybody else in writing. What is fair for one is fair for all, what kind of justice have we got here? Then he comes along and says I am going to charge you \$500 for a survey post that is gone and I hadn't even seen the survey post and I don't even know if it was ever there. I know roughly where it should be because I got a Dominion land surveyor to point out to me where it was roughly. wanted to charge me another \$500 there and there has been other harassment afterwards. Now if this is the way we are going to have to get any common sense into the administration of this land around Whitehorse then there is room for an awful lot of changes here. This is all I am going to say in the matter right now but this isn't the end of it yet. I consider this illegal and so do a lot of other people and this is going to be tested in court. Legal advice has been sought on this from a couple of lawyers and the answer has been the same.

Mr. Taylor: To get back to the sessional paper I would like to know in relation to the section on Clinton Creek. I am just wondering if it would be possible Mr. Chairman, I would direct these remarks to the Commissioner, if it would be possible to determine or to learn as a Councillor what agreements have been made between Northern Affairs and Cassiar Asbestos in relation to the development of this townsite at Clinton Creek. Apparently I am aware of verbal concessions made by the Department of Affairs to the Cassiar Asbestos people. I am

SESSIONAL PAPER 32 Mr. Commissioner: Mr. Chairman, would you direct me as to what roughly areas you are speaking of and I will know what or where to go for the information.

Mr. Taylor: I am speaking of all the agreements between Northern Affairs, or whatever the name is now, and the people of Cassiar Asbestos.

Mr. Commissioner: If you could direct me as to the area these agreements are in it would ease my task.

Mr. Taylor: As to the areas you would have to get that information from Northern Affairs because if I had the information I wouldn't be asking this question of the administration. I think we have dealt with education, they may get into the act there too if it effects the economies of Clinton Creek and Dawson city they have made certain concessions with the company respecting the Yukon Territory to which I certainly as a Councillor have no knowledge except second hand knowledge.

Mr. Commissiner: I will do my very best to get this but it is a pretty general situation. If there is any specific areas such as education, transportation, roads, bridges, ferries, and municipal services. If I knew what areas to get into I would know what questions to direct to Northern Affairs.

Mr. Taylor: In that case it would cover all the ones that you have just enumerated.

Mr. Shaw: To go back to this paper I wonder if the Commissioner would be so kind as to contact the honourable Minister of Northern Development and Indian Affairs and inform him that the people of Dawson would appreciate very much his announcement as early as possible as to the charges they will be subject to in relation to lighting, power and water. We have had the service for six weeks and it would appear to me that we would like to know what we are paying for it. Usually it doesn't take quite that long to figure out a situation like this.

Mr. Commissioner: Mr. Chairman I will do my very best.

Mr. Watt: Mr. Chairman I asked a few minutes ago if the Commissioner had any comments and then the subject was changed by the member from Watson Lake. I think that a comment should be made on this by the Commissioner because he is familiar with this and he knows what I am talking about. I think this land should be back in the hands of our Territorial Municipal Affairs Department so we have some control over it, not a single individual who works for the federal government. I don't thiak that that department is responsible to anybody except the Commissioner. In this other department at least the Territorial Council has a little bit to say on what is being done and what is being passed whether it is in keeping with the Metropolitan Plan or not. Right now the federal government could put a glue factory right where a park should be. There is nothing to stop them. You have been controlled by the federal department of

Mr. Commissioner: Mr. Chairman, something I would like to say right now and that is land within the Whitehorse metropolitan area, this land is controlled under two diffferent aspects of government. That land which lies within the confines of the City of Whitehorse is zoned in accordance with the by-laws of the City of Whitehorse and the only way that anything other than that for which the land is zoned for which the land can be used for can only be changed on the basis of an appeal to the Zoning Appeal Board. That land in the metropolitan area that lies beyond the confines of the city of Whitehorse is subject to the Area Development Ordinance and the regulations pertaining thereto. Appeals that is zoning are not dealt with by any individual, and are appealable to the Zoning Appeal Board. to the situation of the federal government that can build the proverbial glue factory in any portion of the Crown land within the confines of the metropolitan area is totally incorrect. The federal government cannot do this. The only way this could be brought about is for them to build their glue factory in an area that was set aside for industrial type purposes or for purposes of which this would be considered a part of. If any other than a part of this they would have to take it before the Zoning Appeal Board. Now when we are talking about the disposal of Crown lands to be in the hands of one person we are talking about this person dealing with paperwork, the administrative detail of this. This man has terms of reference within which he must work and ${\tt I}$ think in referring to my own speech to Council I told you that it is my Minister's desire that all aspects of Crown land disposition should be in the hands of the Territory to get away from the interminable delays and bureaucratic inefficiency that are tying up people sometimes for years to get the use of land for a very legitimate purpose. Further Mr. Chairman, in so far as the legality of the Commissioner's Orders that deal with land in the metropolitan area that lies beyond the City of Whitehorse I can pass no comment on this at all I am sure that these orders were issued in full compliance with the terms of the Area Development Ordinance and I am reasonably certain that the then Commissioner did not sign them unless he has first obtained the advice of his Legal Advisor and I am sure that he did not knowlingly sign anything that was contrary to law. As far as the administration are concerned if there are defficiencies or inefficiencies with these regulations I will be happy to see that Council approves any aspect of that.

Mr. Watt: I would like to say Mr. Chairman that the Zoning Appeal Board is no more legal as far as I am concerned than the Metropolitan Planning. It represents established interests that have been pushing this thing and retarding development in any place other than right here in Whitehorse. It wouldn't be so bad if they would make land available for people that wanted to use it. There is one example of somebody wanting to set something up in contradiction to the Whitehorse Metropolitan Plan and he tried to get property which he couldn't get. He was in a legitimate business and had half a million dollars to invest and he couldn't get a square piece of land for to set up a garage or shop to maintain his equipment. There was no appeal to the Zoning Appeal Board and I admit I was on a land appeal board at a time and the difference there on whether a person got the land was on how big your pocket book was. If you had enough influence you wound up getting your land. If you

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Mr. Chairman: I will now call a recess

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Thursday, November 17, 1966. 4:30 P.M.

Mr. Chairman: I will call the Committee back to order. We will continue where we left off.

Mr. Taylor: Well, Mr. Chairman, I think we may have made some sort of step forward, but I certainly would have liked to seen this Department amalgamated more closely with the Engineering Department, but I guess we will just have to wait and see how everything works out. We can certainly do a great deal in the Territory to upgrade Area Develop-ment and I have many subdivisions in my constituency all of which are suffering possibly growing pains. I don't suppose they'll ever cease to have problems. I hope that through this new supposed re-organization, we will be able to tackle some of these and realize benefits because, as I say, it seems that Industry is three years ahead of Government in these fields and these people have just got to catch up.

Mr. Chairman: Any further discussion, gentlemen?

Mr. Boyd: I would suggest that we pass on without comment concerning that particular Sessional Paper.

Mr. Watt: If we are having a vote on this Sessional Paper, I will vote against it. I want my vote recorded.....

Mr. Taylor resumes the Chair.

Mr. Chairman: Gentlemen, for your edification, there is no agreement or disagreement respecting this paper. It is PAPER #34 a matter of information and no vote is required. The next Sessional Paper is Sessional Paper No. 34, addressed to Mr. Speaker, Members of Council, re Liquor Ordinance -Disposition of Fines. (Reads Sessional Paper No. 34). There is no signature.

SESSIONAL PAPER #32

Mr. Boyd: Mr. Chairman, I notice that during the last couple of years, the Department has done exceedingly well in the way of fines compared to what they did before that. I don't know whether this indicates that people are earning more money and capable of paying more or there's more of them caught in the snare, but the point that does give me a little concern is that I can see no reason in the whole setup why this money should go to Ottawa. I don't see it. You will see it time and time again - intoxicated or in-ebriated off the reserve or off a reserve. There is no reserve in the Yukon. There is some land set aside but there is no such thing as an actual reserve. This is another point in question. One wonders and wonders, and now I notice that we have the Department of Indian Affairs under the heading of Northern Development and I am wondering if this Council now will have any chance of looking into and discussing and knowing what is going on in the Department of Indian Affairs in this Yukon. There's nobody here to answer my question so I'd better not say any more.

Mr. Southam takes the Chair.

Mr. Taylor: Well, gentlemen, there is something underlying here. I don't know for sure whether Councillor Thompson.. whether it was his intent...I presume it possibly was...to go deeper into this, but there is one very, very important

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SESSIONAL PAPER #34

Mr. Taylor continues: aspect to this. We were given...I don't believe this was tabled as a document but I can only, therefore, say that into my hands as a Councillor came a copy of a Court Decision...Court of Appeal...between Regina versus Richard Peters. Here it was pointed out quite clearly that an Indian, as defined under the Indian Act, in the Territory cannot be charged under the Liquor Ordinance. He must be charged under the Indian Act. The Indian Act, being a Federal Statute, takes precedence over Territorial Ordinances. He also states...the Counsel for the Appellant stated in his Judgement that section 94 of the Indian Act stands against the right of equality before the Law and this refers back to section 1(b) of the Canadian Bill of Rights Act. Therefore our Liquor Ordinance, as it states here..."having decided that the Liquor Ordinance does not apply to the Indians, there is no conflict. I think, further, that the argument is answered effectively by the reasoning of the Court of Appeal for British Columbia.", and the Appeal was then allowed. So, here we have a problem. We can't change it ourselves but I think that it behooves us to make representations on behalf of our native people in the form of asking that all sections of the Federal Indian Act pertaining to Indians drinking on a reserve and off of a reserve should be repealed and I think that we, as a Council, should do this. It has been stated here that these men are charged...these charges laid under the Indian Act apparently are generally charged as Indians found drinking and found intoxicated off of a reserve, and I think you will all agree there are no reserves as such in the Yukon Territory. I think, further, that you will agree that there has never been a treaty signed with a Yukon Indian. Our native people have signed nothing and, therefore, when you view the question of what happens if an Indian sins in the eyes of the Law...they say that Federal Law covers Federal Canada and if an Indian wants to live on a reserve, he can go to Saskatchewan, or Alberta, or B.C., or one of the Provinces or to the Northwest Territories where Indian Reserves do in fact exist. This is an inequality. This is discrimination and it is something which I feel Council should give some thought to. I have been attempting to acquaint myself a little more thoroughly with the problem and it would be my intention to bring down before Council a Motion which would in effect ask that the Department of Justice in Ottawa consider the repeal of certain sections of this Act as they apply to our native people in the Yukon. I would hope, of course, that at that time we could go into this thing further but I cite this just to show you some of the problems behind this.

Mr. Thompson: Yes, Mr. Chairman, I had also considered a like course of action and have also the Legal Advisor aware of this problem and whether I bring down a Motion or you bring down a Motion...so long as we do something to alter the situation.

Mr. Taylor: Yes. Well, in this regard, I would be most happy to work with the Honourable Member in this respect.

Mr. Chairman: Any further discussion, gentlemen?

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

MOTION CARRIED

MOTION CARRIED

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

Mr. Taylor: Mr. Speaker, Committee convened at 10:35 a.m. this morning to discuss Bills, Memoranda, Sessional Papers and Motions. Committee first dealt with Sessional Paper No. 30 with Mr. Commissioner in attendance. Committee recessed at 12:00 Noon and reconvened at 2:00 p.m. It was moved by Councillor Thompson and seconded by Councillor MacKinnon that Mr. Speaker do now resume the Chair and hear the Report of the Chairman of Committees. This Motion was carried.

REPORT OF COMMITTEES

Mr. Speaker: Gentlemen, you have heard the Report of the Chairman of Committees. Are you agreed with the Report?

Mr. Watt: Mr. Speaker, I would like my objection to Sessional Paper No. 32 recorded. I said so at the time. I would like it recorded, Mr. Speaker...my objection to Sessional Paper No. 32 "that Crown lands will henceforth be in the hands of one agency". I would like that recorded, Mr. Speaker.

Mr. Speaker: Mr. Chairman, Mr. Taylor, would you please record that in your Report?

Mr. Taylor: Mr. Speaker, I would be glad to do so at your direction however I think that this is a detraction from our rules. If a Member has an objection to be recorded, fine, however I might cite, Mr. Speaker, in this case there was no vote taken and there was no requirement for either yeas or nays and therefore this matter has not been recorded and there is no reason for any objection to anything.

Mr. Speaker: Mr. Taylor, the Member in question at the time did bring up objections to it and I think it is his right that it should be recorded.

Mr. Taylor: In what form? Could I have that again? What is the objection to?

Mr. Watt: Yes, Mr. Speaker. I am simply objecting to Sessional Paper No. 32, "that Crown lands will henceforth be in the hands of one agency of the Federal Government". I object to Sessional Paper No. 32 and I would like to have it recorded.

Mr. Taylor: Mr. Speaker, I have noted in the Report that Councillor Watt objected to Sessional Paper No. 32. I would, Mr. Speaker, as Chairman of Committees, ask that Members don't ask to have all their objections on matters discussed in Committee recorded. This is quite a chore.

Mr. Speaker: Are you agreed with the correction to the Committee Chairman's Report?

All: Agreed.

Mr. Speaker: We will now proceed to the Agenda for tomorrow. What is your pleasure in this regard?

Mr. Boyd: Mr. Speaker, I would like to think that Council would get out to the Correctional building site this week, and possibly tomorrow at one o'clock might be agreeable to Council.

All: Agreed.

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Mr. Speaker: Mr. Clerk, would you please take note of that.

Mr. Clerk: I am phoning him right now, Mr. Speaker.

Mr. Taylor: Mr. Speaker, in Committee we have before us some Bills, Memoranda and Sessional Papers. There are no Motions at the moment, however there may be tomorrow. I would suggest that tomorrow we deal with Bills, Memoranda, Sessional Papers and Motions.

Mr. Speaker: Thank you, Mr. Taylor. Are there any further suggestions in relation to the Agenda for tomorrow?

Mr. Clerk: We visit the jail at one o'clock.

Mr. Speaker: Thank you Mr. Clerk. Tomorrow we have Bills, Memoranda, Sessional Papers and Motions for discussion and a visit to the Correctional Institute at one o'clock. What is your pleasure at this time, gentlemen?

Moved by Councillor Southam, seconded by Councillor MacKinnon, that we call it five o'clock.

MOTION CARRIED

MOTION CARRIED

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

Friday, November 18, 1966.

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

Mr. Speaker: Have we a quorum, Mr. Clerk?

Mr. Clerk: There is, Mr. Speaker.

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Mr. Speaker: Have we any correspondence this morning, Mr. Clerk?

Mr. Clerk: Yes, Mr. Speaker, I have Sessional Paper No. 38 SESSIONAL entitled Report of the Financial Advisory Committee. This PAPERS #38 was the Report that was given by Councillor Thompson yesterday morning. We have Sessional Paper No. 39 entitled Suggested Amendments to the Game Ordinance which is quite lengthy, and Sessional Paper No. 40 entitled Canada Pension Plan. We submitted two new Bills this morning, Mr. Speaker but there was an error. We distributed Bill No. 13, An Ordinance to Amend the Liquor Ordinance. This should not be Bill No. 13. There are some additions to Bill No. 4. If Councillors will just take the cover of this Bill No. 13 and throw it away, keep the balance and put it in as Bill No. 4.. it's a new Bill No. 4, an Amendment to the Liquor Ordinance. We also submitted Bill No. 4 which is another Supplementary Supply Bill. That is all this morning, Mr. Speaker.

Mr. MacKinnon: Mr. Clerk, is the 14 on there...is that an error?

Mr. Clerk: That Bill can stay as 14. We fully expect another Bill that will fill the gap.

Mr. Speaker: Thank you, Mr. Clerk. Have we any Reports of Committee? If not, we have Bill No. 14 for introduction. What is your pleasure?

BILL #14 Moved by Councillor Boyd, seconded by Councillor Southam, INTRODUCED that Bill No. 14, 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. MOTION CARRIED

MOTION CARRIED

#39

#40

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

Mr. MacKinnon: Mr. Speaker, I beg leave to give Notice of NOTICE OF MOTION #7 Motion re Central Complex.

Mr. Speaker: Have we any further Notices of Motion? If not, we will proceed to the Orders of the Day. The first item will be Notices of Motion for the Production of Papers.

Mr. Taylor: Mr. Speaker, I would like to give Notice this MOTION FOR morning of a Motion for the Production of Paper respecting PRODUCTION Corrections Committee.

NOTICE OF OF PAPER #2

Mr. Speaker: Thank you, Mr. Taylor. Are there any further Notices of Motion for the Production of Papers? The next item will be Motions and we have Motion No. 6, Mr. MacKinnon, Minimum Security Camp.

MOTION #6 Mr. MacKinnon: Mr. Speaker, Motion No. 6, moved by myself, seconded by Mr. Taylor, re Minimum Security Camp. It is the opinion of Council that the Minimum Security Camp be situated forthwith at the site of the Experimental Farm at Mile 1019 Alaska Highway. May I proceed, Mr. Speaker?

Mr. Speaker: Proceed, Mr. MacKinnon.

Mr. MacKinnon: Well, we have heard all types of discussions as you are undoubtedly aware of, and we have also received the confidence of the Minister that the Experimental Farm will continue. He doesn't say just quite when or in what manner it will continue. I feel that this is a matter of blocking our original idea of establishing the Corrections home at the Experimental Farm. This is a nice way of telling us we don't need to do that. We will be good to you. We want re-embody the Farm and everything will go along fine. will continue laying eggs and all such things as this and you people at Haines Junction really have nothing to worry about. I think that this needs some serious thought. believe that the practical locality would be in that Kluane Lake District. We have a Game Sanctuary. We have what they call Sheep Mountain. This could be, I will say ... an attempt could be made to establish our National Park in that area. These immates could do some valuable work even though it's only the Game Sanctuary at the present time. Now we have it sitting out here in the dense bush - no man's land, but there is one fact established. It's very close to Whitehorse. Mind you, all I can say is that it's too bad there wasn't room right on the main street. We could possibly set it up there. I feel very strongly that there should be more Administrative support in establishing this mobile complex where it was intended in the first place when the rest of the Council Members accepted the idea of having this type of useless function. It was not intended to be established in Whitehorse. It was definitely for the outside areas. Now there's all evidence that we continue to build that pedestal right here in central Whitehorse and I would like to hear other Members' opinions and to face the actual facts as you see them.

Mr. Taylor: Mr. Speaker, as seconder of the Motion, naturally I agree, but I think that not only is our proposal here in this Motion...it shows that we have a good idea as Councillor MacKinnon pointed out, but it was originally proposed by Council at one time, but I think it goes deeper than that. I think that here we have a case where a Corrections Program has been organized and where it seems that some people are adamantly opposed to anything but their own idea of retaining this camp in the Whitehorse area, and I think here lies a true test of the effectiveness of Council, Yukon's representatives and it will certainly indicate to me as to whether or not the Council can affect...if they have a good idea which I feel we have...can effect this proposal. Now, in relation to the Motion, we initially, as all Members will recall, got into this Corrections Program business some years ago, and I can remember sitting at this table working out a program. Some of the Members are still here from that former Council, burning the midnight oil every night until sometimes twelve and one o'clock in the morning with a gentleman by the name of Duncan Clark who brought us this proposal in the first place. We spent a lot of time setting this out, setting out the Medium-Maximum Security Institution, setting up the Minimum Security Camps which we deal with here, and how they should work and how they should have satellites

MOTION #6

Mr. Taylor continues: emanating from it in time and it sounded like a pretty good program, and I think today that it still was a good program. The matter then returned to Ottawa and for some reason Duncan Clark had left the Federal Service, or this Department at least. Someone else took over and Ottawa started hashing this thing around and it grew and it grew and it grew from its original form to eventually what we see today. As I say, when we spoke of a Minimum Security Camp as a Council...this was when Council first decided upon this...we spoke of something which would be a little more modest than what we find today, something which would be self-sustaining, as much self-sustaining as possible, thereby costing us less money and the satellite provision was there. Well, as has been said in recent times, we have been sold a bill of goods as Mr. Commissioner very capably pointed out the other day and this is in fact what we have been done. We have been sold a bill of goods. I would say that in this case that Ottawa more than likely would be the Caesar among the ruins in this particular instance, but I have always noted in the nineteen years that I have been in the Yukon Territory that when Yukoners were faced with a problem, they generally faced it quite squarely and here is an opportunity to face a problem squarely, and I say that instead of crying about it, deploring about it and throwing up our hands in disgust, that we can locally deal with the problem and affect economies in doing so. I say this with all sincerity. Ottawa got it off the track. I think that we, as the Councillors who started this program in the first instance, can give it the guidance to put it back on the track again. Now, in relation to the Camp....we were out the other day and we looked at this Camp and we find ourselves a pretty nice camp. It certainly must have cost a great deal of money. It is far more than we bargained for, in construction and in size, however, it is here, and I think this is well to remember that this unit is here. So, what are we going to do with it? Now we have a couple of choices. We could put the thing into immediate operation I would think or we can leave it sit there and tie up taxpayer's investment for some considerable length of time. It is sited at Wolf Creek. Why this particular location was selected, I am not too clear on, but I did understand that apparently it was the one site out of several that were selected in the Whitehorse area which would offer water and wood I believe. I just forget what it was but water was one. Apart from that, there are trees there and it is a nice black fly and mosquito infested area, but of course possibly you could spray. I don't know. Otherwise it seems to offer little. It is handy to Whitehorse and to this other Institution. Now 1019, the Experimental Farm...I think most all of the Honourable Members have been there, has been in existence for some years. The Department of Agriculture more recently have viewed the thing as a kind of uneconomical thing and I think this possibly stems from this ARDA Development which we have also discussed in Council whereby the Federal Government seem to choose to discourage agricultural development of any sort in the Yukon Territory and following this... I won't elaborate on that because I know everybody is aware this proposal. Following that there was a cutback proposed for the Experimental Farm. It wasn't to be completely shut down but someone would fly up from time to time and carry out the experiments and the projects of the Department. It was interesting indeed as the Honourable Members from Carmacks-Kluane had pointed out to us earlier this morning, Mr. Speaker, that suddenly, at the suggestion of the removal of this camp MOTION #6 Mr. Taylor continues:

a wire was forthcoming, almost on the moment from the Honourable Minister saying that it would be kept open and I think this adds more weight to our argument to take this camp forthwith...that is to say as soon as weather permits and vehicles can be obtained to take this unit to the Experimental Farm. When we speak of the Farm, we find a place which is beautiful in every respect, which is open, which offers an environment conducive to this type of operation. There is a farm which implies there are horses and cows and chickens and pigs and this sort of thing. There are many cleared areas upon which can be grown many products and there is an atmosphere which is conducive to the main object of this exercise...in this case rehabilitation, and I would say, in my opinion, having dealt with this at great length as other Members have, that we have a better opportunity to rehabilitate here in the Minimum Security Camp than we do in the Medium Security Institution because they boys are going to get out and they are going to work. The Community of 1016, three miles away from the Farm, offers, I would think, every facility required by this unit. It offers bulk facilities for fuel. It offers a nursing station for any unforeseen mishaps that might happen at the Farm or at the Camp, and it offers in effect everything. There may not be a Doctor but a Doctor is only a motor vehicle away..a couple of hours to Whitehorse. These facilities are good enough for the citizens and I am quite sure that they will be good enough for this camp. I have spoke on the fine rehabilitation environment, the possibilities, but more important of all...we have talked about getting ourselves into a big financial mess...we can here, at this point, affect economies... because they people can grow and they can grow vegetables. They can grow practically anything in this world. They can grow flowers and sell them to the tourists if they want. What I am saying here is that they can support at least to some extent in food products, both the Minimum Security Camp itself and naturally, of course, the Farm itself is sustained, the Medium Security Institution up the Hill, the Juvenile Detention Home or Homes when they are constructed here in Whitehorse, resulting in quite a saving. And then, when we start calculating the good done in park clearing... we are speaking of a Territorial Park in the Kluane area.. here is an opportunity where these people can be rehabilitating, the alcoholic offenders are drying out and working and the Territory is benefiting through the clearing of land in this Park...wherever it may be. Oh, there's a thousand wonderful possibilities that no other immediate area in the Yukon can boast. The other thing is that from this Camp, during the summer months, there can emanate satellite camps once this thing is started...once this thing is going...I think that if we get the camp up there and get it set up... it can be pioneered there just as easy as it can be pioneered here....that satellite tent units can be put out, say in the Dawson area or any area in fact of the Yukon where public works can be done. I believe the Honourable Member from Dawson pointed out in his remarks earlier that the graveyard situation in Dawson City is deplorable and I certainly must agree. There is much clearing and beautifying to be done in those old graveyards in Dawson and here, during the summer, a camp could be set up. There are areas all over the Yukon where work can be done which would not conflict with private enterprise. I will go from there to the arguments that I have heard from some Corrections people....we have to have the camp here and we have to have the Medium Security Institution in operation before the camp can work because these supposed inmates of the Minimum Camp must first be processed up the Hill here. I find this a poor argument. It may be

MOTION #6

Mr. Taylor continues: slated that way by Ottawa in their proposals, but we have found that their proposals just don't work. Once again I remind you, if we are going to eventually take over the cost of this thing and if Ottawa has enough faith in our ability of administrate...we have a good Administration and se have a good Council in this respect...at least the Council has been with this thing all the way and I think this is really saying something because of the interest shown and the work undertaken by Council. Even if we did get buffaloed a bit, all is not bad. Much can be saved. Now, I say they can be processed from here and sent to that Farm and get them to work just as easy as if that Institution never existed in the first place up the Hill. Rather than let the camp sit, we can put it to work and let it start paying itself off. As far as staff is concerned, I still feel there will be at least one or two facilities available for married personnel, say the Camp Superintendent and his Assistant, at the Farm site or in the 1016 area and for the balance of staff can be recruited and, if necessary, if we can't find people who are fully trained, we can effect in-training measures and use some Yukoners if they are suitable on this project, and I think you will all agree that this can be done in most any field if you can get the right men. I think we have at least some of the right men in this Territory. As a matter of fact, I know personally of two in the Watson Lake areawho have both had experience in Corrections work ... as guards and as various things. This staff from the Whitehorse area, or resident in Whitehorse, can work shifts...so many days on and so many days off...just like they do in fire halls and in other services, and I say, Mr. Speaker, that we can start making sense out of this program by affecting the measures as suggested in Councillor MacKinnon's Motion. I think it is sound and I would urge that all Members of Council concur in this respect, and I would sincerely hope that if this Motion is carried that the Administration will look kindly upon it and will accept the views and the wishes of Council to put this thing on the road in this manner and get this thing up to 1019. Thank you, Mr. Speaker.

Mr. Speaker: Any further discussion on Motion No. 6?

Mr. Boyd: Mr. Speaker, we are all amateurs and we are talking about what should be done with a situation that is already planned and so on. I am sure there are just as many arguments against the move that could be just as persuasive as to why it shouldn't be done. You have to take into consideration also...is this organization suggesting...does this Motion suggest that we....the Minimum Security organization, if you want to call it that...will take over the Experimental Farm and it will cease to be such? I don't see where the powers that be would quite agree to this. If it's going to be an Experimental Farm, then the Experimental Farm people are going to run that Farm according to the way they see it not according to the way these delinquents are required to be handled so you have a situation there. I don't think that Councillor Mackinnon's remarks about "in no man's land" around the area of Whitehorse...this is far from being no man's land.. in fact, it's an excellent place. It's a summer resort that we are talking about. It's on the edge of a lake and there are many reasons...first of all, there's the hospital attention, daily coming back to Court for hearings....they don't go to the Minimum Security jail before they go through this jail in the first place. It goes around and around and I am beginning to wonder if we are wise...I'm for passing the Motion. I'm for getting something done along these lines that's been already suggested before this camp was ever built.

MOTION #6 Mr. Boyd continues:

It was suggested to Ottawa that this should be done and right in Ottawa but it fell on deaf ears...real deaf too. So, merely passing this Motion at this moment, in my opinion, will get us nowhere. It's easy to tell us why and what will happen. We already have a wire indicating that the Experimental Farm is not available for the purpose that you are just talking about. That's what it indicates in my way of thinking...otherwise the wire wouldn't have come. You will see that there will be simply an answer that this cannot be done so if you want to pass the Motion, you have closed the door and the camp will remain where it is. I think there should have been more discussion before this Motion ever got to where it is now, more planning.

Mr. Southam: Well, Mr. Speaker, you already know that I have been quite a proponent to this Corrections Program for several reasons. The thing is here now. You have cleared off quite a vast area to set it up and I think the sooner that you get it into motion, the sooner you will be able to get somewheres with it. I am not altogether adverse to the Camp going up to the Experimental Farm although I don't think that it's a wise proposition. An Experimental Farm is an Experimental Farm and nothing else - not a Correctional Institute. It's a place where you can experiment and you are not experimenting with youth when you put them on that. As I see it, there are several places that this place could go besides Whitehorse if you want it to, but the thing is that it is set up to go there now and I think the sooner they get it set up and get going, the better it will be. For this reason I believe... I am not a judge... and therefore I don't know the ins and outs of the Courts too well but I think there are too many of these juvenile offenders put on probation when this is the place they should be. Now, if it's only a six day affair or a few days, this is the place as I see it. I could name all kinds of projects for them. One that I would certainly like to see myself is out on the road going towards Mayo where these pines are coming up nicely and all those old stubs standing up in there ... I think that these should all be cut off. I think this would be a good job for them. Apart from that, I think we are fooling around too much and now the Camp is cleared. The way is set and I say let's get the Camp set up and let's get going and this way we will be doing something but to move it from here to there from the other place at the present time I think is wrong.

Mr. Speaker: Is there any further discussion on Motion No. 6?

Mr. Watt: Mr. Speaker, the Commissioner has already told us that this Security Program, both Minimum and Medium, has got a long way off the rails and we have been sold a bill of goods on this program and he asked for a little time to try and get the thing straightened out. I have no strong feelings one way or another where this Minimum Security Camp should be but I understand it will be in operation in three or four weeks wherever it is. I would like to suggest that we just leave this up to the Administration to put it in the most practical place and have it in operation as soon as possible and as efficiently as they can. Personally, I don't like to abstain from a vote but in this particular case, in light of what the Commissioner has said with respect to this subject... I would like to give him a chance to get the whole program back on the rails themselves. I partly agree that we have been sold a bill of goods and if the Commissioner can get this thing back on the rails, I would like to let him go ahead and do it. Unfortunately, I think I am going to have to abstain on this vote, Mr. Speaker.

Mr. Speaker: Mr. Taylor, will you take the Chair a moment? MOTION #6

Mr. Taylor assumes the Speaker's Chair.

Mr. Shaw: Mr. Speaker, when this program first started, I suggested that a very good place for this Correctional Institute would be at Dawson City because it lent itself to many aspects of what we are endeavouring to do to rchabilitate persons and I was informed at the time, and I think you will recollect the discussions, that due to the fact that most of the persons that would utilize the Correctional Institution as we call it emanate from this particular area. I think it was 90%. I think it was an amount that was very close to that. So, in my efforts to be reasonable, which I always try to be, I had to admit that this was the place where you had to have the Correctional Institute otherwise it would be a steady transportation problem back and forth. However, Mr. Chairman, I was assured at that time that this was one phase of the program, the Institute, and the other phase were mobile camps and they would travel to various areas of the Territory doing certain types of public works which would not conflict with private enterprise. These camps would be quite mobile and therefore they would spend possibly three months here or four months there and be all over the Territory. The concept of this type of incarceration is to rehabilitate people. That is the main function of it. The persons that were wishing to start this informed Council that criminals cost the taxpayer x number of dollars and to keep them in jail without any program at all was somewhat foolish because they could not rehabilitate them and it cost more money. Now, these people, Mr. Speaker, were very interested in what this cost the taxpayer and I think one of our functions as representatives of the people is to assure that the Taxpayers get as much value for their dollar bills as it is possible for us to give them. Now, this Correctional Program I won't harp about how much it costs and things like this...but it was my belief that every measure would be used in this to rehabilitate these people and at the same time make it as economical as possible for the rest of the people that were paying the shot, and in this, Mr. Speaker, I thought that this would be as self-sufficient as possible. Well, I am sorry to say, that concept, that part of the program, has been completely thrown out of the window. Costs seem to be of no consequence whatsoever. The Institution will be heated by steam generated at some plant. The fuel will be oil and we have millions of I was told that "No, this won't be fired with acres of wood. wood. It will be fired by oil because there is a plant up there", but when this plant has to supply another unit, it's obvious that you have to poke more oil in there and produce more steam and the inmates themselves...they won't participate in heating themselves. This area that I had the pleasure of visiting the other day, if you can call it such, is just a hole cut in the woods and I don't know what they are going to do there...maybe fix up the lake shore but that's not the point. The point is that they certainly can't grow vegetables in that particular area to feed these Institutions. In rehabilitation, I think that nothing has been found better to rehabilitate people than to take them out on the farm, and at the same time produce something that is useful. Now, the Motion that we have now may not be worded in exactly the correct manner because it does state the Experimental Farm. It does appear to me that the Department of Agriculture would not care to be incorporated into the Correctional Program so they may have some objections in the request of this Motion and, therefore, I would feel that they would no doubt turn the Motion down in itself but, Mr. Chairman, I would hope that the Administration would look beyond the exact wording of the Motion and

MOTION #6 Mr. Shaw continues:

look to the effect that we wish to have this camp located in an area where they can produce food for this Institute so we don't have to buy it. That would be something useful that they will be producing and if it's taken in that context, I think that there will be some common sense to it rather than putting it out and piling everything in one area. We were told that these camps would go out from here. Now, of course, this program has been changed. That's another breach of faith, I think and I feel very strongly that these camps should be put elsewhere and like has been suggested, 1016 does have farming ground out there to put this and if it has the ground, I say put it there and if there isn't the ground there, well we've got lots of ground around Dawson...acres and acres and acres. There were Experimental Farms in there, Mr. Chairman, operating before any of the people that are in this room were in the Yukon Territory...large farming area. That is all I have to say on that particular matter. Thank you, Mr. Speaker, and I hope that the Administration will consider this in the spirit in which it is given rather than the actual context of the Motion.

Mr. Shaw resumes Speaker's Chair.

Mr. Speaker: Have we any further discussion on Motion No. 6?

Mr. Boyd: Yes, Mr. Speaker.

Mr. Speaker: You have...unless you have a question, Mr. Boyd, the Rules will not permit you to debate on this subject again.

Mr. Boyd: Well, I have a question, Mr. Speaker. Not too long ago, there were top men making decisions as to where this camp should be and so on. I'm coming to my question but I have to say this first. They made their decision and they met with Committees, of which I happened to be on one, saying they had chosen this site and gave their reasons and so on. At the end of that meeting we said, "You are the people running it. You are the masterminds. It is your business" and this committee agreed that they would go along with their reasoning, the choice of this site and so on, and give it its chance, and I think that...

Mr. Speaker: What is your question, Mr. Boyd?

Mr. Boyd: That we should ask ourselves if we should not give them the chance rather than us jumping up and undoing something that we have already more or less agreed to.

Mr. MacKinnon: Order, Mr. Speaker

Mr. Taylor: Order. Order.

Mr. Speaker: What is your question, Mr. Boyd?

Mr. Speaker: Have we any further discussion on Motion No. 6?

Mr. MacKinnon: Mr. Speaker, I will have to compliment Mr. Boyd. He made a great attempt to get his feelings established even though it was far out of line.order. I would like to thank the Member from Watson Lake for his endless efforts of going through the practical points of having this Minimum Security Complex established in some hinterland area where those small

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MOTION #6

Mr. MacKinnon continues: towns could quite use the revenue that this would bring. I know that the Whitehorse businessmen are very interested in the potential payroll. This seems to be the leading factor in everything that happens in the Yukon. Let us keep that payroll in Whitehorse. Don't give those people on the Highway a chance. Don't give any small community a decent break. We need the payroll in Whitehorse and to an awful lot of people this is vitally important. Mr. Boyd says let us leave it with the people who planned the deal. I say that he is one that planned the deal. He is one that bought it from Mr. Isser Smith, Neville and Bolger, the salesmen that came from Ottawa and sold it to you. I believe that our present Government has put this new setup in a certain area so it is well hid. It's in dark bush so the people cannot get a true look at what is happening and I am undoubtedly sure that it will stay there and possibly the road will be closed. There will likely be a gate and a lock so the general public can't take a look at what is happening.

MOTION #6
DEFEATED

MOTION DEFEATED

Councillors Southam, Boyd and Thompson contrary. Councillor Watt abstained.

Mr. Speaker: Mr. Commissioner, would you like to join us at this time?

Mr. Commissioner enters the Council Chambers.

Mr. Speaker: The next item on the agenda is questions. Have we any questions this morning?

Mr. Southam: Mr. Speaker, I don't know whether this is the proper place, but I would like to know if anybody around this table knows when we can discuss the Workmen's Compensation Ordinance? I have several inquiries from my constituents who want to be in the gallery at that time.

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Mr. Speaker: In answer to that question, I believe that the Commissioner informed us yesterday that these had left Ottawa on November 14...the Ordinance in respect of that...and it would appear to me that until the Ordinance arrives here...we will not be able to discuss a Bill that is not here. We can discuss Workmen's Compensation in itself, but the Ordinance... we will require that...and as soon as that arrives here, I would assume that the Administration will inform this Council and from there on it will be up to Council to determine when we discuss the matter. Is that a satisfactory answer?

Mr. Southam: The only thing is, Mr. Speaker, I wonder if I could have a day's notice so that I can inform these people?

Mr. Speaker: I would be very happy to give you every...a week's notice if possible. As soon as I hear, you will be informed. Have we any further questions?

Mr. Taylor: Mr. Speaker, I have one question; speaking as a hinterlander quite concerned about the Whitehorse area...I wonder if Mr. Commissioner could inform me as to whether or not the context of the Motion concerning the Radio Station CFWH twenty-four hour broadcasting, has been forwarded at this particular moment to the Prime Minister?

Mr. Commissioner: Mr. Speaker, I personally could not answer that question. Mr. Clerk, was that in the day before's proceedings?

Mr. Clerk: Yes, Mr. Speaker. This was passed the day before yesterday. I imagine that it is now in the Commissioner's office waiting to be forwarded to Ottawa.

Mr. Commissioner: Mr. Speaker, it wasn't in my basket this morning. As soon as I receive that, I will act as required. I am certainly prepared to give it whatever attention it requires.

Mr. Speaker: Any further questions?

Mr. Watt: Mr. Speaker, I would like to ask Mr. Commissioner if the Administration could endeavour to get all legislation tabled before us by Monday morning that the Government wishes us to introduce and have discussed at this Session...no later than Monday morning so that we can possibly aim for a prorogue date...a target date. Once this is tabled, then we could probably aim for some type of a date to terminate our deliberations here. Could you endeavour to have everything tabled by Monday morning, Mr. Commissioner?

Mr. Taylor: Point of Order, Mr. Chairman. This is not a decision of Council. This is a decision of the individual member. I have been called out of order twice on similar cases.

Mr. Speaker: Yes, questions such as this is something I think that Council should determine when they wish to have the target date for Government Bills and so on is a decision of Council rather than a member.

Mr. Watt: That wasn't the question, Mr. Speaker. The question was would it be possible for Administration to table all legislation by Monday morning? This is a question directed to the Administration.

Mr. Speaker: That is quite correct but it would be, let us say, redundant...an answer to a question like that...when a question like that should emanate from Council, Mr. Watt.. a decision of Council. Have we any further questions?

QUESTION RE MACE

Mr. Taylor: One final question, Mr. Speaker. I am wondering.. some time ago we held a contest as a result of a Motion of Council, to procure for the Yukon Territory a mace as a symbol of legislative authority and people. A contest was held and I am wondering (a) was there any results of that to the knowledge of either Mr. Commissioner or Mr. Legal Advisor and (b) has this been pursued and is a mace in effect under construction?

Mr. Commissioner: Mr. Speaker, I know of the contest from knowledge as a private citizen. As to what the end result of it was, I am sorry, I cannot answer that question. Perhaps Mr. Clerk or Mr. Legal Advisor might be able to assist you in this particular thing.

Mr. Taylor: I would ask, Mr. Speaker, that possibly Mr. Commissioner could take that question as notice.

Mr. Commissioner: So that I would start out on approximately the right track, could you give me an idea how long ago this would be. Would it be about a year and a half ago that this was undertaken?

Mr. Taylor: I believe it was some two-three years ago.

Mr. MacKinnon: Yes, Mr. Speaker, this was discussed in the first Session that I sat.

Mr. Commissioner: Yes, Mr. Speaker, just to give us some idea just to where we would start to....

Mr. Speaker: Have we any further questions? Oh, is that satisfactory, Mr. Commissioner?

Mr. Commissioner: I do have a question. I don't know whether this is the right time that I should place this. If you direct differently, you tell me Sir. The terms of reference concerning the Economic Study were circulated to Councillors I think just prior to or about the start of the Council Session. We are most anxious at the Administration level, Mr. Speaker, to hear from Council as to their opinions or thoughts with regard to these proposed terms of reference. I was wondering if there was anything in which my Administration might assist in in helping us to get their thinking.

QUESTION RE ECONOMIC STUDY

Mr. Taylor: Mr. Speaker, I inadvertently found mine last night as a matter of fact. I found a big brown envelope with this document referred to in it. Possibly it could be tabled as a Sessional Paper for discussion.

Mr. Speaker: Does that answer your question, Mr. Commissioner? I think that this particular subject matter, this Economic Survey, as Councillor Taylor has intimated, if it were produced as a Sessional Paper, we could table it and discuss the full matter and give our feelings accordingly. Are there any further questions?

Mr. Boyd: I have a question for the attention of the Legal Advisor, I believe. Sometime ago there was a Motion passed at this table where all horses would be required to be branded and that there be a pound set up to take care of certain types of animals also. What has been done in order that people can identify...that animals can be identified that are along the Highway?

BRANDS

Mr. Legal Advisor: Mr. Speaker, I can only give a part answer at the moment, Sir. I wonder if I could collect the information and have it ready for Monday. My present answer would not be satisfactory.

Mr. Speaker: Is that satisfactory, Mr. Boyd?

Mr. Boyd: Agreed.

Mr. Speaker: Have we any further questions?

Mr. MacKinnon: Yes, Mr. Speaker. Somewheres along the line, I have seen a draft of this proposed Ordinance and they termed it Brand....I am not just sure what it is titled but it is for the branding of horses in the Territory. It has been drawn up. It has been drafted...

Mr. Boyd: Point of Order. Is this a question?

Mr. Speaker: I am just waiting for the question.

Mr. MacKinnon: It was pointed out to me to pass an opinion on the operational functions of this particular draft and this was almost a year ago and now it seemed to fall through the bottom of the basket and I haven't seen it or heard tell of it for quite some time....

Mr. Speaker: What is your question, Mr. MacKinnon?

Mr. MacKinnon: I didn't have a question, Mr. Speaker.

Mr. Speaker: Well, you are out of order. Will you please sit down. Gentlemen, this is a question period. I would ask you to co-operate with me. I do realize that when you discuss these matters that you do get certain matters before the House but unless you co-operate with me and confine this to questions.. to explain your question is understandable but not to hold a discourse. Have we any further questions? If not, there are no Public Bills and Orders to process. What is your pleasure?

Moved by Councillor Taylor, 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

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

Mr. Taylor: Gentlemen, I will declare a recess.

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11:00 a.m. Friday . November 18, 1966

Mr. Chairman: I will call this committee back to order. We will proceed to Sessional Paper #35. I will read it.

SESSIONAL PAPER 35

Extract.

Mr. Thompson: I wonder if maybe Mr. Territorial Treasurer could tell us in dollars and cents what is 5.66% of the Territorial payroll.

Mr. Commissioner: I have the figure available in my office and I would be very happy to see that it is provided for Council.

Mr. Chairman: I will call a short recess.

RECESS

Mr. Chairman: I will call the committee back to order.

 $\mathcal{S}_{i,j} = \{ x_i \in \mathcal{X}_i : x_i, x_j \in \mathcal{X}_i \}$

Mr. Commissioner: A question was asked concerning a motion of Council which was passed at the Spring Session referring to providing for the Territorial Government one fisheries officer and one clerk typist. When this was dealt with it should have dealt with three conservation officers as well and the paper that was directed to the Council on August 31st was in clerical error only and the representation in the presentation of the five year agreement was as in Council's original motion.

Mr. Chairman: Thank you Mr. Commissioner. Speaking from the chair I think the matter will be dealt with in the Game estimates.

Mr. Commissioner: I have here the information that Councillor Thompson asked about. The 10% salary increase which already is in effect for the Territorial employees was \$110,756.82. This is for a budget year. This is from April the first through the following March 31st and the 5% increase you are requested here totals \$70,026.18. The added Canada Pension Plan cost this is right across our payroll because when our budget was in front of you this was not in effect at the time, is \$32,361.00. Does this answer your question?

Mr. Watt: Is Mr. Thompson finished with his question. I would like to ask Mr. Commissioner, am I interpreting this right now under this system all employees who are not hired locally are entitled to have their transportation paid for a holiday every year but if they are hired locally then they are not entitled. Am I right.

Mr. Commissioner: Not quite, this is, look at page 3, this is in effect as far as the federal government is concerned but our recommendations are in items 1, 2, and 3 which feel that this not part of our salary structure.

Mr. Boyd: Can I go back to the figures. This is for Territorial employees and it does not include teachers.

Mr. Commissioner: No, this figure that I have supplied with here is the Territorial civil service.

Mr. Shaw: Well Mr. Chairman I agree with this paper. I agree with it because if we expect any employees to do the job you have to pay it, providing you get the efficiency and best of work. As these things go along we have to reach the rising living cost in some form or another. Unfortunately though we note that the government is providing federal employees and we are providing the Territorial employees with an increase it

Selection of I

SESSIONAL Mr. Shaw continues.....

PAPER 35

is too bad that the federal government itself would not recognize the fact that the citizen that isn't working for the government still has the additional costs to bear and in many cases it is very little more remuneration that, it was a while ago. We have tried to balance that out by getting a large exemption but haven't been given any approbation from the government. It is just one group that the government recognizes that they must receive more pay or they won't stay in the Territory. They still have to contend with the high cost of living up here and they pay, pay, pay and they don't get any relief from the government. I am just hoping that one of these days that this government of Canada will recognize that beyond a certain area that they won't have colonists live up there unless they lessen the taxes. I realize that they are spending a good deal of money on roads and matters like that to open up the area but they also have to realize that the roads aren't very much use to the country unless they have people at the end of those roads and the people at the end of those roads unless they can get more manifests and a better break they just won't be here. We are going to end up in the Yukon Territory with a huge government and no people to administer. I agree with this, this is sensible this is sound but I also agree it is time the federal government, there have been enough representations go in from here to the Minister of Northern Affairs, and it is something they could take in hand and make a greater effort to see that things could be done which Council has put in time after time and motion after motion.

Mr. Taylor: Mr. Chairman, my comments would be I think it does fall in line in relation to our proposal to get out of the housing business as much as we can by charging economical rents for Territorial housing or that aspect of it and I agree in this. I am concerned however over these annual increases because I see where we are striking comparisons to the federal government and it should be recognized that the federal government have a greater tax ability than the Territory and consequently they can offer to their personnel many more fringe benefits than we in the Territory can and in fact can apply better salaries. I think this is a real problem in our taking over the Alaska Highway when these people become Territorial employees and we become involved here. We have to be very very careful that we don't establish our standards of pay on the basis that the federal government establish theirs. It may be that some federal employees are going to have to come down to our wage level, I see a problem here and it is a problem of rising costs and it has to end somewhere or our economy is going to topple.

Mr. Boyd: The picture I get from this is that we are in the middle of a fast stream in a canoe and we have never been on this water before but boy we are rolling along and one morning we are going to wake up and we are going to drop over the precipice. Our dollars converted into yens will fly like mosquitce in the air and then we will settle down somewhere and we will start to come down to common sense. If we keep following this trend as long as everybody else is doing it and we have no choice and I am with it 100%.

Mr. Watt: I would just like to say on this unless we give these people the money they will go someplace else. I would like to see the Commissioner try and cut out some of the duplications of services. Now you go to one department to get a piece of paper to qualify to build a certain thing and then you have to go to three other offices and have three pieces of paper. There is a lot of work that could be cut out.

Mr. Chairman: In view of the time I will call a recess until two o'clock this afternoon.

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Task 5:

Mr. Chairman: I will call Committee to order at this time. SESSIONAL Is there anything further on Sessional Paper No. 35? PAPER #35

Moved by Councillor Shaw, seconded by Councillor Boyd, that Committee concur with proposals outlined in Sessional Paper No. 35.

MOTION CARRIED

MOTION CARRIED

Mr. Chairman: What is your future pleasure, gentlemen?

Mr. Southam: How about some of these Votes, Mr. Chairman?

Mr. Chairman: Would you like to go back to the Supplementary Estimates? The state of the second

All: Agreed.

Mr. Chairman: We are at Vote No. 3, Education, the break- VOTE 3 downs of which may be found on Page 35 of your book. The first item, gentlemen, is Salaries in the amount of \$14,953. I think in this case, gentlemen, I will take this by sections. Administration in the amount of 24, 526 as itemized.

Mr. Commissioner: This, Mr. Commissioner, is to give effect to the salary increase at the Administrative level of the Department of Education.

Mr. Thompson: Could I make one comment and this is in connection with the figures that we were given this morning. This \$15,000 that we are talking about here is made up of anomalies that were out of line prior to the Salary Commission's deliberations which came to \$1,500, the 10% that we are talking about that Mr. Smith mentioned this morning and the 5% that we are talking about in that Sessional Paper. This was the information that was given to us at the Financial Advisory Committee meeting. In other words, when we pass this, we have in effect given approval to this additional 5%。

Mr. Commissioner: Mr. Chairman, I have the minutes here which have been referred to by Councillor Thompson of the Financial Advisory Committee.

Mr. Chairman: I wonder if these could be tabled in the ordinary fashion so that they can form part of our official Mr. Thompson: They will be, Mr. Chairman.

Mr. Chairman: If it was the wish of Committee, we could have Mr. Speaker resume the Chair in order to achieve this purpose.

Mr. Thompson: Mr. Chairman, these are merely observations that we found at the Financial Advisory meetings and they give you a little detail into the various breakdowns. If you so desire, we can do this but as far as I am concerned, it's just a little more detail to the indicate. VOTE 3 Mr. Chairman: Well, the only reason I mentioned this, gentlemen, is because a document, unless tabled, cannot be discussed at any length in Committee. This is the only problem that I see here.

Mr. Shaw: Let's put it this way, Mr. Chairman. We do have a Report of the Financial Advisory Committee but it gives

AACCLASIVERY little detail and this document apparently does give details of the particular subject. It actually should have been introduced through the normal procedure to have this type of document.

Mr. Chairman: Though it be irregular, gentlemen, possibly, with your concurrence of course, we could accept this document now and it could be tabled tomorrow as a Sessional Paper. Would this be agreeable?

Mr. Thompson: Mr. Chairman, I would like to make it adamantly clear that we are not trying to hide anything. We have been through this to great length, but I felt to duplicate Administration's submission of the Financial Advisory Committee meeting procedures and detail was in fact a duplication and further to my remarks before that the lack of action taken by the Council on the Financial Advisory Committee Report that there wasn't much point in duplicating the same things again. Mr. Chairman, the only point that I am trying to make as far as we are concerned is that the amounts that are in the Supplementary Estimates are the ones that were discussed this mroning. In other words, if we pass the Estimates, we don't have to worry about the Sessional Paper because the amount of the increase in the Sessional Paper is included in the Supplementary Estimates and I think I am correct in this.

Mr. Commissioner: Mr. Chairman, the increase, although it is in two separate items, covers the same period of time. I think this is probably the most clear cut manner of explaining it. In other words, it concerns a period of time from April 1, 1966, to March 31, 1967. I think this is the most straight forward words that I can use, Mr. Chairman, to explain this.

Mr. Chairman: Anything further on Administration?

All: Clear.

Mr. Chairman: The next item is the F.H. Collins Secondary School in the amount of \$66,011 as itemized.

Mr. Thompson: Mr. Chairman, could I make one observation or comment at this time? I think that your prime reason for going through these Estimates item by item is that if anybody has an item to bring up to be discussed that they do so. I think that by making note of the total vote of \$280,000 is in itself comment enough that if anybody has anything to say about the Education Vote, they could discuss it. it. Now, I may be wrong. I may be out of order, but I think to alleviate a lot of unnecessary duplication that this procedure could be instituted and this, as I say, was one of our recommendations of the previous Financial Advisory Committee meeting. If anybody has a specific problem or item or anything dealing with Education, I think it could be brought up rather than going to this extent. I know that in the past your procedure has been to ... I will go so far as to say that you are trying to upgrade and update your submission by taking just the general headings rather than going through all the detail, but I think that if anybody

VOTE 3 Mr. Thompson continues: has anything specific as far as Education is concerned ... I don't think that we are primarily here to argue about whether they spend \$150 on this or \$200 on that. We are here primarily to pass the amount of \$280,000 for the Education Department and if we have any complaints...concerns.. then I think this should be voiced and I think we should say "All right. Fine. I think that this is a little high, therefore we should delete "x" number of dollars", but I think that anybody that has taken the time to go through this know whether they want to delete anything or whether they want to pass it as such. I respectfully submit this as a suggestion and I would hope that Members of Council would concur.

Mr. Southam takes the Chair.

Mr. Taylor: Well, Mr. Chairman, it seems that we always lose time on the budget every year on this same question, and if it's time we must lose, it's time we must lose. I, again, do not concur. We have before us a Supplementary Estimate in the amount of over two million dollars and I have seen us certainly haggle over a ten dollar bill, or over a hundred dollar bill, over a thousand dollar bill and also over a half million dollar expenditure, and as far as I am concerned, as a Councillor, and as a supposed guardian of the taxpayer's dollar, I want to go through this. We have made great gains because we are going through it section by section rather than primary by primary. As far as I am concerned, I thought this was settled at the Spring Session and at other Sessions that we have been doing very well on this. I have made one error in not bringing to your attention Vote 20 which I will correct as soon as we have concluded this section on Education, and by going through school by school, it gives the Member from the area where the school may exist an opportunity in supply, the debate on supply, to discuss matters pertaining to this school. not an easy thing as a Councillor to recall all the little problems of a district all at once, and often, going through supply, for instance in Education, it brings to mind certain inadequacies which could be voiced at the Council table. I think this is rather important. I think we have streamlined this pretty well as we go. To accept it in lumps and chunks would not be, I don't think, doing our job and in the light of my past remarks....I think we are doing rather well the way it is. I am not prepared to rubber stamp any lump sum.

Mr. Thompson: Mr. Chairman, nobody has asked for a rubber stamp on anything. You still have the same opportunity to voice any concern over any item but I do say, gentlemen, that we have had this book before us... I stand corrected ... I think the Members that aren't on the Financial Advisory Committee have only had it for two or three days so, therefore, they probably haven't had the opportunity, but I do say that if there is any matter that they should have had sufficient time to make the necessary notes to bring it to our attention. There is no thought of trying to ram anything down anybody's throat. I merely say that I don't think that we should spend the time going through any Vote item by item. We are merely here to approve an expenditure of monies and once we have done this, gentlemen, it is up to the Territorial Administration to see that it is done expediently and that it is done effectively, and I think that you will find that the Auditor General is sitting up there in the Ivory Tower with a few other people in Ottawa that are looking after our interests and welfare but I don't see any reason - there is nothing to prevent any member from asking any question, but I don't see that we have to spend this extended amount of time. VOTE 3

Mr. Boyd: Mr. Chairman, the figures certainly are not worth reading inasmuch as we should have looked at what concerns us by now...even one hour or two hours will answer any man's questions. We have before us now what was prepared by Administration and it's by Votes and just to kind of emphasize Mr. Thompson's thinking, if we look at what we had to say on Vote 3 concerning Education, it says "No major point in this Department's estimates was raised and explanations required were provided and accepted". This is all your Advisory Committee thought of concern. As Mr. Thompson points out, if you have picked out something here and you want to raise a question, raise it, but look at the thing...\$15, \$9, \$20... who wants to waste their time on this kind of stuff?

Mr. Taylor: Mr. Chairman, we are not. This is why I say we are taking it section by section, and I might say Mr. Chairman that I have had this book since I arrived in Council, and I know this is droll to members of the Financial Advisory Committee who have poured over this book on more than one occasion, but I, as an individual Member, have not seen this book and this was tabled just a few minutes ago and I haven to read that either. As far as I am concerned, I feel that we should stick to the same routine we have adherred to in the war. past in order to give the other four Members who are not members of the Financial Advisory Committee who do find this a little dry reading at night, especially when they have other things to do in relation to their work in Council, to give up the opportunity to slip through it. As I say, we have dispensed with going through the primaries and we are only going through the establishment numbers and I think we have made great gains there. As a matter of fact, in the have time it has taken for this debate, we would have been pretty well on into the Education Vote and I think we are due that courtesy at least.

Mr. Shaw: Mr. Chairman, I feel that...when I first came here we used to go through every primary and my goodness, we never got through. This is just a matter of going through the establishments...I think that is, as Councillor Taylor has mentioned, we have the Financial Advisory Committee that has gone through...made their recommendations which we have just received a few minutes ago..and going through the primaries, as has been stated during this discussion, we could have finished this...going through the establishments I should say. I am for going through the establishments and if there are no questions when the Chairman calls it out, then we proceed to the next one.

Mr. Boyd: Let's proceed.

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Mr. Watt: Mr. Chairman, I haven't read this whole Budget yet but I have certainly read the Education section and I just have two questions but when we come to the establishment number...I'll just reserve them....they're both on the Whitehorse Elementary School. I'll just reserve them until we come to the establishment. I'll ask those two questions there. As far as the rest of the Education section of the budget is concerned, I have gone over it and I am satisfied with the Financial Advisory Committee's minutes.

Mr. Mackinnon: Mr. Chairman, yes, I have noted a discrepancy here and it doesn't seem to have an establishment number. It doesn't exist and that was a request last year for the Superintendent of Education to assess the values of dormitories that have become a necessity, and I don't think there is anything in this Vote for this type of accommodation. Now, out of Carmacks, we have about eight young students. I understand

orthodolay

VOTE 3

Mr. MacKinnon continues: that there is two who have quit school because there is no dormitory facilities in Whitehorse and the parents find it difficult to find suitable boarding facilities in the City of Whitehorse. I was sure that we would have this in our Estimates this fall. I had asked for a study of the feasibility of the same type of thing in outlying districts, even to house the primary grades, because we have a lot of this problem and we don't have dormitory facilities. In Whitehorse here you have, I think, accommodation for twelve or so children. Well, the ones on the priority list get the opportunity of enjoying this home which was the old teacherage or nurses home. If you just haven't got the right name or color, you just don't get an opportunity to be one of those fortunate people so then you go out amongst the public and you start looking for a place to house your child. Yes, there's subsidies but you can't always find a suitable place or a suitable family to board your children, and I would like to see this have some consideration and I think that it's high time that it was taken into consideration that there is even children from my constituency that have been forced to go outside, like to Prince George, to go to school where there is proper accommodation.

Mr. Commissioner: Mr. Chairman, could I say a word to help to allay Councillor MacKinnon's fears in that matter. Considerable work has been done in looking into this situation and a request has been made in our next fiscal agreement for a provision of monies to attend to this particular matter. A considerable amount of work has been done at the Administrative level. I think this would help to allay Councillor MacKinnon's fears.

Mr. MacKinnon: Yes, Mr. Chairman, this pleases me very much. It's the first I heard of it.

Mr. Taylor resumes the Chair.

Mr. Chairman: Gentlemen, let's go back to Operation and Maintenance, Department of Education. Are you agreed with F. H. Collins School in the amount of \$66,011?

All: Clear.

Mr. Chairman: Next is Whitehorse Elementary School in the amount of \$20,548. Next is the Selkirk Street School in the amount of \$3,931. Next is Takhini Elementary School in the amount of \$8,908. Next is Porter Creek Elementary School in the amount of \$10,460.

Mr. Shaw: Just one matter, Mr. Chairman. I notice Surgical-Medical Insurance...that has gone up a tremendous amount. Is there a new scheme that has gone into effect since...that is primary 98.

Mr. Commissioner: Well, this would appear to be what it is, Mr. Chairman, to cover the increased Territorial contribution on the increased rates May 1, twelve employees at six dollars a month average, less the provisions in the Main Vote. In other words, the provision is short...I am looking on page 36 by the way, Mr. Chairman...the provision in this instance is \$382 short and this is precisely what you are faced with here. It seems to me that I have a booklet in my desk that indicates a revised scheme that came into effect up here a few months ago and no doubt this is where the increased cost that is involved here comes in.

Mr. Chairman: Next is Nisutlin Block, \$749. Next is the Separate School Teacherage in the amount of \$749. Takhini Housing, \$25. Next is the Dawson Elementary High School, \$10,781.

VOTE 3

Mr. Chairman: I notice this one item - increase due to additional long distance calls in connection with furnace repairs and so on. Is this something that has been incurred this summer, or was this tossed in...?

Mr. Shaw: Mr. Chairman, that is the most inefficient heating system I have ever seen in any building. It's a large building and it has a hot air system and you cook in one place and you freeze in another. It's been that way ever since they put it in in 1958 and I don't expect it will ever change. That is the story and it will be a continual cost in maintenance ad infinitum.

Mr. Commissioner: It's an amount of \$60, Mr. Chairman, and it would appear to be covered with the explanation.

Mr. Shaw: I think, Mr. Chairman, that was the last building we put in that had that kind of a heating system. I think that after that we realized that it was very much a mistake and I think you will find that they are heated by hot water or some other means...it was before I was in Council and when I found out that this was the heating system, it just amazed me, however, that's the way it is.

Mr. Chairman: Next is the Dawson Teacherage, \$25, and the Dawson Teacher's Residence, \$1,380. Might I ask, who do we rent the building from?

Mr. Shaw: There's one thing I notice, Mr. Chairman, in the Dawson Teacher's Residence. They have a scavenger service put in here. I don't think that there is any payment for scavenger service that I am aware of.

Mr. Commissioner: Perhaps the manner of putting it down, Mr. Chairman, may have some bearing on this. You will notice that it says here "Public Utilities Service...the provision of light, water and scavenger service, 12 months at \$75"... it is very possible that this is a terminology that conceivably includes the word scavenger but in actuality should possibly refer to Public Utilities.

Mr. Shaw: I don't understand "Less the five". They only estimated for five months apparently in the first instance.

Mr. Commissioner: Well, this is apparently it.

Mr. Chairman: Who is the building rented from?

Mr. Commissioner: This Dawson Teacher's Residence?

Mr. Shaw: Mr. Chairman, this is a Territorial building. We put up two of them a couple years ago for the teachers. That's why I couldn't understand the five months. That has been there for...they were living in it last winter, definitely. I know that very well.

Mr. Commissioner: Yes, but, Mr. Chairman, I think what the question is...I have No. 69, Rental of Buildings for Accommodation, twelve months at \$65 a month, less the five months... isn't this what you are referring to?

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VOTE 3 Mr. Shaw: That answers my question, Mr. Chairman. There must have been some change.

> Mr. Commissioner: Also, Mr. Chairman, the same thing applies to your Canada Pension Plan contribution. In other words, you are increasing the pay of people so the Government's contribution... I believe it is 1.75%...increases.

All: Clear.

Mr. Chairman: Next is Christ the King Elementary School in the amount of \$4,350. Next is Christ the King High School in the amount of \$11,282, and the Hanson Street Dormitory in the amount of \$338. Lambert Street Teacherage, \$749. Fourth Avenue Staff House, \$1,157.

Mr. Shaw: I have a question, Mr. Chairman. This I believe is the old CPA, is it?

Mr. Commissioner: This is correct, Mr. Chairman.

Mr. Shaw: Where board and room is provided?

Mr. Commissioner: That's correct.

Mr. Shaw: I wonder...Council has asked on many occasions.. the charges made, are they in proportion to the costs of the building, or has that not been adjusted yet? , volled I .

Mr. Commissioner: Mr. Chairman, the agreement under which we are collecting from the people who are staying in this building is not subject to change until either June or September of this coming year. In other words, this runs in the same terminal date as your agreement with your teachers. In other words, it is primarily teachers that stay in it. It would not be proper for me to pass any further comment at this time, Mr. Chairman, as we are actively engaged in negotiating with the teachers and one of your Members is represented on that particular Committee. That is...the agreement for the charges in this particular building run in the same starting and terminal dates as the Teacher's Employment contract. Mr. Boyd, I think, could give you the exact dates of that contract.

Mr. Shaw: What I was getting at, Mr. Chairman, was that for the future, we will expect when we don't go into various and sundry overlapping of contracts and what not...but the objective is to charge the amount of what it actually costs to operate it. I think that was the original agreement when we purchased the building. I was just wondering if that was going to be the policy in the future. album Edm

Mr. Commissioner: Mr. Chairman, could I be allowed to terminate my remarks and say that it would hardly be right that I passed any comments when we are actively negotiating on such subjects with the teachers, Mr. Chairman?

Mr. Chairman: Yes, that is quite in order, Mr. Commissioner I just have one question from the Chair. Does this building actually stand up to Fire Laws? It's a pretty old building now. ្ស៊ី ស្រាវា (១៩ ខែ១០) ១៨១ **កុស្**រាវិ «មិល្បាយ ទីទី១ (១៤១) ១៥២ ១៩៩ ខែ now.

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Mr. Commissioner: Mr. Chairman, if it doesn't ... I have not seen any evidence of any notification to the contrary. I am not saying that it does, Mr. Chairman but....

Mr. Chairman: Are we clear on the Fourth Avenue Staff House in the amount of \$1,157? The Addition of the A

VOTE 3 Mr. Shaw: No, this building that is referred to...this is a building that is another Teacher's Residence. This was a building that they rent up on Seventh Avenue.

Mr. Commissioner: Mr. Chairman, it wouldn't be from Councillor Shaw, would it that they rent this building from?

Mr. Shaw: I can assure you, gentlemen, that the Government doesn't do any business with me and I don't want to do any business with them.

Mr. Chairman: The next item is the Watson Lake Elementary Secondary School in the amount of \$9,389. St. Ann's School, Watson Lake, \$7,664. Next is the Mayo Elementary School, \$3,717.

Mr. Shaw: On the Mayo Elementary School, Mr. Chairman, I wonder how the bussing proposition is working. Does that seem to be working out satisfactorily?

Mr. Southam: There is no bussing that I know of. They are all down here.

Mr. Boyd: By parent's choice.

Mr. Chairman: Next is Mayo Teacherage, \$400. Next is the Pelly River School in the amount of \$18,521. This, I believe, is a brand new school.

Mr. Commissioner: This is quite correct, Mr. Chairman... and I believe filling a very good need.

Mr. Shaw: Well, Mr. Chairman, from what I've heard and rumours on the way...the Teacherage there...you've got a man and a woman and they certainly seem to be very popular in that area and apparently are doing an excellent job.

Mr. Chairman: Next is the Ross River School in the amount of \$12,356. Next is the Teslin School in the amount of \$4,467.

Mr. Southam takes the Chair.

Mr. Taylor: I was hoping that the Superintendent of Education would be with us when we got into these Estimates, but in respect of this Teslin School, we have somewhat of an overcrowding situation presenting itself. Brooks Brook has almost completely moved into Teslin now. I don't know just what the situation is at J.C. at this particular moment with respect to the number of children. Mr. Superintendent of Education has this information but I think it should be...as I say, were he here I would ask him for those figures and some consideration should be given to extending or adding two new classrooms next year. I am not too clear as of his remarks last spring as to whether this is in the mill or not. I did want to cite it at this time in this budget review.

Mr. Commissioner: I would be very happy to find out for you, Mr. Chairman. The Superintendent of Schools this afternoon is engaged in speaking with the people from Clinton Creek regarding their possible school requirements.

Mr. Shaw: I do note though, Mr. Chairman, that there must have been quite a large miscalculation on what it would cost to operate the school for the year. Apparently every item was under estimated in the Main Budget...contracts to provide for garbage removal and different things.

Mr. Commissioner: No, Mr. Chairman. I think that you must appreciate the fact that conditions, particularly in these smaller communities, are changing on a continuing basis and possibly what arrangement you have made for budgetary requirements on this year...when you come to open school in September, it is entirely different. I see an item here for garbage removal for the Teslin school. The chances are ten to one that possibly last year there was some other arrangement entirely available at the school for garbage removal and it didn't require a budgetary requirement... these things are going on. You will find the vast majority of these things, each one of them is the same, Mr. Chairman, for Salaries and Wages, Employees Superannuation, Death Benefits, Surgical-Medical Coverage, Canada Pension Plan.

Mr. Taylor resumes the Chair.

Mr. Chairman: I was just looking, gentlemen, at the item we were speaking of and it was not, I don't believe, provided for in the Main Budget. The next item is Teslin Teacherage, \$50. Pelly River Teacherages in the amount of \$2,264. Is there more than one Teacherage at Pelly River?

Mr. Commissioner: Well, Mr. Chairman, apparently there must be. It uses the plural here...so when we have a man and a lday, I imagine they are provided for separately.

Mr. Chairman: Next is the Haines Junction School in the amount of \$4,241. Next is Carcross School, \$1,758. The next is the Carmacks School in the amount of \$6,778. Ross River Teacherage, \$1,432. Carmacks Teacherage, \$85, and the Kluane Lake Teacherages at \$300. Gentlemen, at this time we will call a recess for tea.

VOTE 3

Friday, November 18, 1966. 3:30 p.m.

Mr. Chairman: I will now call Committee back to order, and VOTE 3 we were discussing the Estimates. We are on page 74. The next item is Beaver Creek School in the amount of \$491. The next is the Old Crow School, \$6,948. Old Crow Teacherage, \$120. Swift River School, \$431. Next is Sabbatical Leave in the amount of \$3,260. Next is the F.H. Collins Secondary School, Student Commercial Course, Day, in the amount of \$29,020.

Mr. Shaw: Mr. Chairman, in respect of this, I don't know if we have the person here who can answer this. We have a commercial course at the Secondary School and we have a commercial course at the Vocational School. Is there a difference in the course. Can you get a diploma, say to be a secretary, from the F.H. Collins School, and also get one from the Vocational School, or is one just a means of.. an elementary course?

Mr. Commissioner: Mr. Chairman, the commercial course at the F.H. Collins school is an accredited course for which credit can be obtained towards a high school graduation certificate. This is a course that would be taken over a period of several years and each year could conceivably contain different items, possibly for two years bookkeeping and maybe for three years shorthand and you take other things in accordance with a properly accredited curriculum. At the Vocational School, the commercial courses offered there are on a different basis altogether. It is a course that is strictly designed for practical application and is generally taken by people who have had some commercial training, either self acquired or possibly a short amount of it in normal schooling and wish to bring themselves up to standards that will qualify them to take work along specified lines such as typists, bookkeeping and so on. The are two entirely differently prescribed courses although certainly to a degree some of the course content is similar but they are dealt with in two entirely different manners and there are entirely different groups of people.

Mr. Shaw: Thank you, Mr. Chairman. That answers my question. In other words we have a different situation then in Dawson, and perhaps Mayo, where they have typing and elementary stuff more or less.

Mr. Chairman: Gentlemen, this concludes the Operation and Maintenance section. Could I direct your attention to Vote 20.

Mr. Boyd: Mr. Chairman, I would just like to draw to Council's attention that the total for this Vote in 1965-66 was \$1,859,000. We now wind up with this year's expenditure of \$2,382,000 or an increase to the tune of \$524,000 in the cost of education over last year. This is a point that we will be hearing about, costs and so on, the teachers request and what have you but this is a picture of where we are going.

Mr. Shaw: Well, Mr. Chairman, it seems that each year it's just a 15% addition.

VOTE 3 Mr. Chairman: Speaking from the Chair, I might ask a question of Mr. Commissioner. Why would it appear that each year our education costs increase, our classroom requirement increases, and yet the population of the Territory does not reflect any substantial increase? Has there been any thought given to this, and is there any answer to it?

> Mr. Commissioner: Well, Mr. Chairman, without going into it too deeply, I would say that the vast majority of your education cost increases are (a) the salaries that you are being required to pay in order to attract the calibre of teachers that we wish to have in the Territory and secondly, a continual upgrading of the educational facilities themselves. I am sure, Mr. Chairman, that Council will remember that we have literally replaced entirely the whole school physical plant in the Territory in the course of the last fifteen years and some how or other, the cost of operating the old one and two room school house, compared to the cost of operating the modern four room school house that took its place, is just that much higher, and I am afraid, Mr. Chairman, that we are no where near arriving at a plateau as far as education costs are concerned. I would also bring to Council's attention that you are having a continuing steady increase in your school population. I realize that possibly in the last couple of years, it has not been very great percentage wise but you are continually adding numbers to it.

> Mr. Chairman: Anything further on Operation and Maintenance?

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and the second Mr. Chairman: Could I direct your attention then to Vote 20 on page 156?

Mr. Watt: Mr. Chairman, just before we leave Maintenance, I would just like to ask the Commissioner...has there been any change in the date for the re-opening of the Whitehorse Elementary School? Originally they planned to open it right after Christmas. Is there any change of date?

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Mr. Commissioner: Mr. Chairman, my inquiry a couple of days ago indicated that the repairs to the school were coming along very satisfactorily and they felt that there would be no difficulty at all in having the school open immediately after the Christmas holiday but I don't believe, Mr. Chairman, that there is any thought, even if the renovations were completed a little prior to Christmas, I don't think there is any thought of changing from the re-opening date of immediately after the Christmas holidays. I am very pleased to report to you gentlemen that the repairs and renovations are coming along very satisfactorily. In this connection, you will be having another Supplementary Budget request in connection with these repairs and also a statement at that time concerning where we stand with insurance claims and so on.

Mr. Chairman: Gentlemen, will we then go to page 156 which is Vote 20? The first item is General Administration, VOTE 20 Furniture and Office Equipment, in the amount of \$20,000.

> Mr. Shaw: Might I ask what these living quarters are. Are they houses, or duplexes, or apartments? Is that a building. a residence?

Mr. Chairman: Apparently we have ten units which are classed at \$2,000 per unit. Just what are these units?

VOTE 20

Mr. Commissioner: Well, subject to being corrected, I believe that these are units that we have made arrangements with the Department of Public Works, the Federal Government Housing Authority in the area, to provide for teachers and we have been required to furnish them. This is the end result here. I will clarify my answer to that but this, to the best of my knowledge, is the situation.

Mr. Chairman: Next is the Whitehorse Elementary School, \$30,000.

Mr. Shaw: On this particular matter, Mr. Chairman, a number of years ago I did bring to the attention of Administration a mechanical device, a electronic device, or whatever you may call it, that was a fire alarm system. They are relatively inexpensive. They have little bugs up in the ceiling and when the temperature goes up at the rate of fifteen degrees a minute..a faster rate than that...this system actuates a gong outside or inside or wherever you happen to put it. the temperature gets over one hundred and eighty degrees, this also actuates this system. It is plugged into the line system and it also has batteries in the event that there was a short and the power was cut off. I had one in my building up in Dawson and the complete cost of this, for the whole building, was about \$275. This is recommended and approved by Underwriters of the Fire Laboratory or whatever they call them. We have had fires in different schools. I brought this matter up in thinking what happened in the Dawson School a number of years ago. Now, had you had this system installed in this Fourth Avenue School, no doubt it would never have gotten away to the extent that it did because this fire system, this alarm system...the gong or the whistle would have blown and somebody would have been around to find out that something was wrong. This does not cost a great deal of money. I would feel that you could possibly install this in any of the schools at a cost of maybe \$1,000. It's a wonderful thing. It's something...about the cheapest insurance that you can get and it is recommended by the Fire Underwriters or whatever you call them. It's not something that is just a play thing. It's very real and it's very economical and it's very good. Mind you, it doesn't put out any fire, but when this gong goes off, you know that something is wrong some place. The one I had in my former residence and store, on a couple of occasions it went off. One was a false alarm and one could have been a very real fire and that cost, as I say, about \$275 to purchase and install. It would probably cost a little more for a school but not a great deal more. You have these little bugs that go into each room. I think that a system like that would be a very good thing to have, especially in our smaller schools like Pelly, or Carmacks, or Ross River, or some place like that. It would at least tell the people immediately something happened. I wonder if Mr. Commissioner could maybe look into something like that and evaluate try and see if it would be a very good thing for the Territorial buildings....the ones that are unattended at night. That is the point. You leave it at night and by the time you know something has happened, it is usually too late to do anything about it.

Mr. Commissioner: Mr. Chairman, the Fire Marshall is in the Territory at the present time making one of his periodic trips in the Territory. I believe he is in Dawson City right at the moment. He was particularly anxious to establish some liasion with the hotel proprietors in that area and try to get them embarked on a program over a period of years of upgrading the fire protection in connection with their public premises, and

VOTE 20 Mr. Commissioner continues:

it is my intention to speak with him when he returns and ask him to have his Deputy here or such people as he has available and make a complete survey of all the Territorial buildings with the thought in mind that he is going to give us recommendations along these very lines that Councillor Shaw has brought up at the present time.

Mr. Shaw: Mr. Chairman, I might state that this was recommended to me by an executive of a very large insurance company. He recommended it highly as an economical safety factor.

Mr. Commissioner: I am quite confident, Mr. Chairman, that there are many things of this nature that we could do in connection with all Territorial buildings and I am hopeful that we could have this survey completed very promptly and get the recommendations from these people who are highly qualified to tell us what could be done and who are realy available to us.

All: Clear.

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Mr. Chairman: The next item is the Porter Creek Elementary School, \$240. Whitehorse Senior Secondary School, \$10,000.

Mr. Watt: I would just like to have the Commissioner explain this. Is this for architect's fees or....

Mr. Commissioner: Well, the architect's fees for site investigation, preliminary investigations, no doubt a certain amount of preliminary plans, Mr. Chairman. In other words, this was the cost that was required to be laid out to get this whole thing....

Mr. Watt: Mr. Chairman, it seems...if it costs \$10,000 just to get somebody to just come and say "Well, that's a suitable location there" and then they come to Gouncil and say "There's a few possible sites but we recommend this one here". If this includes say the architect's fees to draft the plans or something, that I can understand but to pay \$10,000 simply to have someone come and say "There's enough land there"...we already know we have to have nineteen acres or whatever the acreage is that we have to have....eleven acres I think it is...we've either got a location or we haven't got a location. This was the reason for turning down lot 19. It's not suitable up the Hill right now so there's only one spot left. We shouldn't have to kick out \$10,000 to tell us that the one spot that we do have left vis suitable.

Mr. Commissioner: Mr. Chairman, we are making representation under the Five Year Agreement to see that we have funds available for this building if it is required. If to population decrease or something it is not required, well naturally we will not be building it. While I will agree with you that \$10,000 looks like a lot of money and I will investigate to see how much more than site investigation we got for our \$10,000 and so report to you. I say this to you, Sir, that it is far better to spend \$10,000 before you spend two and a half million and make sure that where you are going to put your two and half million investment is going to be the right situation than what it is to save the \$10,000 and then we're throwing two and a half million down the hatch. I would be very happy, Mr. Chairman, with your permission, to report further as to what more than site investigation we got for our \$10,000.

Mr. Taylor: Mr. Chairman, at this time it might be an opportune time to interject something that has troubled me for some time. I might preface my remarks by saying that I certainly agree that this \$10,000 is to cover such things.. not a site location ... I think this is generally a matter that is left to our own offices..but in sub-soil investigation and this type of thing, you can spend \$10,000 rather quickly and I must concur with Mr. Commissioner in this respect. However, I think that also we must be paying out of this sum a certain amount of money for preliminary architectural sketches and designs to somebody and I have on many occasions risen to oppose this practice. Recently, while in Vancouver, I made it a point to visit friends who are in the architectural business. As a matter of fact, I think one of them designed this building. I met several of these gentlemen and I had an opportunity to discuss this problem with them and we, in the Territory, have been in the habit of funnelling much of our architecture in one or two directions and I feel, for instance, if we...this school...if we add it on to the existing F.H. Collins facility, then naturally you would turn to the architect who designed the original building, but if we consider building a school separate and apart from that existing facility, then I feel we should attempt to get several bids, architectural bids, on the design of this type of building. I state this because these architects are generally paid on a percentage of the successful bid price of the project involved. Consequently, the more expensive the project, the more money the architect This is common practice across Canada I find, but I think in initial bidding, rather than funnelling this thing out to favorite architects or ... I must also admit at this point that there are architects who deal in institutional type buildings and there are some that don't. I think that, in my opinion, that in the future in buildings of any nature in the Territory, that we should request bids, not at our expense but at the expense of architects who wish to bid on Territorial buildings and it seems to me that if we can provide the information respecting sub-soils, the information respecting the number of rooms or square footage or the general nature of the building we envision, that these gentlemen could make sketches, estimate costs and submit designs, several designs from which we may choose. Rather than accepting one we could view them and say, in our opinion. our Engineering Department and our Administration could sit down and say, "Well, we like this one here because it seems more suited to our needs" and this type of thing. I feel that this is rather important and it's something that should be looked into. I would appreciate it if Administration would, at their convenience, not forget this point and look into it and sec if this cannot be done because I think the Territory would benefit from it and I think we might find ourselves building equally beautiful buildings and yet you would see economies resulting from this practice.

Mr. Taylor resumes the Chair.

Mr. Chairman: Is there anything further on the Whitehorse Senior Secondary School? The next is the Dawson Elementary High School, \$5,000. Next is the Dawson Elementary High School Addition, \$775. The St. Ann's School Addition, Watson Lake, \$70,000.

70TE 20 Mr. Shaw: Do they need larger facilities there now? Are there that many children?

> Mr. Chairman: I haven't the foggiest notion. We approved it in the spring. The only one who would have that information would be the Superintendent of Education. I have no idea of what the enrollment is.

> Mr. Commissioner: Mr. Chairman, this no doubt was cleared with Council before.

> Mr. Chairman: I believe, gentlemen, if my memory serves me right, that this was proposed last spring and some provision was made in the Main Budget for it. I may be wrong.

Mr. Commissioner: No, Mr. Chairman. There was nothing in your Main Vote at all. The way that I would understand this is that Council had approved the addition and the bills for this construction were not in until after your Main Vote was dealt with and this is your Supplementary. You have not voted prior funds for this.

All: Clear.

Mr. Chairman: Next is the Mayo Elementary High School, \$2,600. Next is the Elsa Teacherage, \$2,000. Next is the Carcross School, \$7,000. Might I ask, is this school in operation at the present time.

Mr. Commissioner: The Carcross school is in operation, Mr. Chairman, and it is to be officially opened on a date close to the end of this month. Possibly Councillor Boyd has the date off hand.

Mr. Boyd: Yes, November 30, Mr. Commissioner....the official opening. They are operating it now.

Mr. Chairman: Next is the Carcross Teacherage in the amount of \$3,600. Pelly River School, \$25,500. Ross River School, \$3,000. Next is \$215 for school equipment, Vocational Training, F.H. Collins School, Program No. 1, Students. That concludes the items on the capital side of the fence for the Education Vote. Gentlemen, just before we leave this section, I wonder if we could go back to page 155 and pick up the matter of the Territorial Treasurer and Collector of Taxes for Furniture and Office Equipment in the amount of \$1,450, which I neglected to bring to your attention earlier.

Mr. Shaw: I presume we will get blamed for having to purchase one of these, Mr. Chairman. and the second of the second o

Mr. Chairman: Have you anything further in Vote 3 at this VOTE 4 time? We will then proceed to Vote No. 4. We have in Vote 4 the Territorial Secretary and Tax Assessor, page 82, the amount of \$14,295. Might I ask from the Chair...are we still in the practice of having people come from Alberta to assist us in our assessment?

Mr. Commissioner: Yes, we are. We have to establish a liasion on a continuing basis for assessment purposes.. because of the basis of assessment in different places being different, we find that the liasion that we have established with the people in the applicable department in the Alberta Government works out in a very satisfactory manner.

30.10

Mr. Chairman: One other question that I have. It is under VOTE 4 Advertising. Why does it cost so...\$800 for instance...to advertise for staff. Is this a normal item?

Mr. Commissioner: I have just finishing asking the same question myself, Mr. Chairman. Everything is quite economical in this advertising situation as long as you are able to stay in the ordinary classified section of the newspaper but the minute you are getting into...say the Financial Post, Globe and Mail, papers that get...what would you say...nationwide coverage, this is when your advertising costs skyrocket and it is very necessary in these types of positions to get as much coverage as we can get the very best possible choice of applicants, but, Mr. Chairman, I must agree with you. I took a second look myself.

Mr. Southam: I don't think your advertising is much out of line. It cost us over \$3,500 to get a Chief Geologist and where did we get him from? Africa, but we had quite a coverage. That was the only way we could do it..the only way you can get any men today. Advertising costs money.

Mr. Shaw: Mr. Chairman but when you figure out we paid \$800 for a deal like this and we went across the hall and got the Administrative Assistant...that seems kind of funny too, doesn't it?

Mr. Commissioner: No, that is not the case, Mr. Chairman, because if we had not gone to this extent and the way your Public Service Ordinance is written at the present time... this is one of the reasons we want to get it changed...we simply had no business going across the hall. I think this should be a very good illustration to Councillors as to just exactly what we are talking about when we say there are many economies to be effected by getting some changes in the Public Service Ordinance. I trust Council will keep this in mind when they see the Public Service Ordinance in the spring.

Mr. Chairman: Well, gentlemen, are you clear on Territorial Secretary and Tax Assessor in the amount of \$14,495.

All: Clear.

Mr. Chairman: I will call a short recess.

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Friday, 4:00 p.m. November 18, 1966

Mr. Chairman: I will call the committee back to order and we were on Vote 5, Department of Health, page 85....

Vote 5

Vote 20

Dawson City Cottage Hospital.....

Mr. Boyd: I think the Financial Advisory Committee made a remark along the lines subject to this discussion subject to Clinton Creek.

Mr. Commissioner: Well, Mr. Chairman, I would have to concur here what the thinking of the Financial Advisory Committee here was. The discussions with Clinton Creek are going on and it is very difficult for anyone to come to any finalized statement concerning the part that government and the part that industry will play in the Dawson area. We have had three representatives from the Cassiar Asbestos Corporation here and they have been meeting with our administrative people from day to day and have been trying to clarify the picture for us as clearly as they can so we in turn will have some ideas as to what part we are going to be called upon to play. Now, I would have this to suggest with regard to this, that you allow this money to stay in here with the thought that has been put forth by your committee here that this money is not entirely required here in fact of the \$10,000 that was already provided and due to the fact that \$3,600 had been paid out. You might ask why I ask that it be left in there and I would say this gentlemen that if we do come to a position where the requirement of the Clinton Creek area or the Dawson City area is finalized before Council is to meet again I would certainly like to feel that we have the funds available for us to proceed to work. The necessary engineering, architectural work, or whatever would be required of us could be started. I must concur with the thought by your Financial Advisory Committee and there has been a very small amount of this money spent.

Mr. Chairman: Clear gentlemen? This concludes the estimates in Vote 5 and we can proceed to Vote 6.

Vote 6

Dawson Road Maintenance Grant......Clear

Dawson Conditional Grant......Clear

Mr. Commissioner: On page 92 you will see that there has been considerable emergency situations and you will be getting a full report from my office on the status of the claims and a report on the Dawson City flood. We have been tied up with other things or we would have had this down here before now.

Mr. Taylor: I see an item of fire protection, a grant of \$32,436 and I was just wondering as that seems like a very substantial amount of money.

Mr. Commissioner: There may have been had to be some changes in what was transpiring there due to the changeover of the power plant. Perhaps Councillor Shaw can explain further.

VOTE 6

Mr. Shaw: I just don't quite understand this. It is a more or less rehashing of this and putting them into different departments. I don't think the increase you will notice isn't due to what happened due to the flood. Where these other amounts come in I don't quite understand it myself.

Mr. Commissioner: I think if you will notice gentlemen that the Dawson Conditional Grant was estimated at \$54,840 and you will see that the emergencies that have come up in the meantime or the changes have required this further \$26,000 but certainly we did have a provision of \$54,840.

Mr. Shaw: We have street lights for \$1200. Well that hasn't changed for years. It is more or less the transferring around, I didn't have time to study this.

Mr. Commissioner: There is \$21,000 in connection with the flood control and the reimbursement of Dawson City for their flood control so there is only \$5,000 left.

Mr. Taylor: I am still having difficulty on this item for instance to select one item, the matter of fire protection in the amount of \$32,436. This is a considerable amount of money.

Mr. Commissioner: It goes towards the maintenance of the Dawson City fire department, wages, salaries, operation and maintenance of equipment and what have you.

Mr. Shaw: It takes in the hydrants, \$53.00 per hydrant per month which was charged by the company selling the power and there are 28 hydrants which cost the City and has for 30 or 40 years, for electric power to put a little heater in there to keep the thing from freezing up. I think it's been around that for 20 or 30 years.

Mr. Commissioner: More or less.

Mr. Shaw: Take it or leave it.

Mr. Taylor: I am not clear on this gentlemen however maybe when Mr. MacKenzie comes down he can explain it.

Mr. Shaw: I will have to start at the beginning of this

Dawson City Flood Damage.....

because we have had floods here, in Winnipeg, and all over the country and we have had many floods at Dawson City and everytime we have a flood the Territorial Government came to the aid and they put up dikes and were very very good about it. the people that got flooded out and lost their furniture and damaged homes received nothing in the way of reimbursement. In the flood previous to this I believe that Secony Mobil gave a grant of \$5,000 as a donation to the City of Dawson for the Council to distribute amongst the people that had the damage done. I felt that as this has been going on for some considerable time and the people of Winnipeg under a federal grant received assistance and the people in other areas of Canada and by all means I figured the people in the Yukon Territory were entitled equally to some assistance if it were forthcoming and I prevailed on the administration to accept this, which wasn't very difficult because they all felt, the previous Commissioner felt that it was just and right, and they all made every effort to see what could be done about it and the results were, as you recollect I left in quite a rush from the last Session, and with me went the Commissioner, the Engineer and so forth to

DAWSON FLOOD Mr. Shaw continues......

see what we could do. A few days later Mr. Commissioner sent
Mr. Fleming and Mr. MacIntyre up there to assess the damage and
they did this and made a report. The report in due course was
furnished to Ottawa I believe and they in turn this summer
sent two men from a firm of assessors who had worked on this
type of thing before to check over what had been reported in
the first instance and to assess the damage that had been done.
They came back and I note that this has been the damage they
felt in their estimate that had been done. I see it in the
book here now and I don't know whether that comes out of the
Territorial coffers or the federal coffersbut this is the DAWSON
results of that.

Mr. Commissioner: I think Mr. Chairman that the paper you will be getting on this will supplement these remarks of Mr. Shaw. This is a charge against the Territory.

Mr. Taylor: I am wondering if this is going to become an annual charge. Clear:

Mr. Taylor: Mr. Southam will you take the chair. I am wondering here whether the contractor is going to be required to live with this thing for a year over the course of a winter until it can be proven that this system will work. It is in operation at the kresent moment and it is intended that the Watson Lake Improvement District will eventually absorb the cost and maintenance operation of this facility. I and other members of the community fear that this system will very likely freeze up this winter. It will leave everybody in the lurch as they have gotten away the septic tanks and are all hooked on to this system. And if for any reason this thing freezes up I am wondering if the contractor is held responsible.

Mr. Commissioner: I certainly don't know but I will check with our Engineering Department and find out for you.

Mr. Chairman: I believe that we have come to the end of this vote. This gives us a total expenditure of \$115,258. Agreed?
We will not return to Vote 20.

Mr. Commissioner: I wonder Mr. Chairman if I may be excused.

Mr. Chairman: Thank you Mr. Commissioner.

Mr. Chairman: Is it your wish to continue with Vote 20? The VOTE 20 first item....

Fire Fighting Equipment......Clear

Mr. Taylor: Mr. Southam will you take the chair. I note that Teslin is not included here and it is possibly for a good cause but I must rise and state that in Teslin due to the failure of a furnace in the Teslin Fire Hall, apparently there was a defect noted there earlier in the summer and it was to be fixed by the Territorial government who didn't get around to it, and the furnace broke down during a cold night. The pump on the fire truck was split assunder and it is a very ancient old fire truck. It is of World War II vintage and it is an open cab affair and registers not in per mile but per kilometers, it is a real old bus, an old International. They are trying to fix this, I don't know whether they will or not, but I hope that this coming Spring that the administration will see fit to consider it's replacement and also to outfit it properly because this has a lot to do with the efficiency of the fire department itself. They come down to the fire meeting and have nothing to work with. It is something like Old Mother Hubbard's cupboard, the cupboard is bare and it is pretty discouraging. It is unfortunate that no member of the administration is here at this moment. I may just be talking to the four walls but I did want to make this point and I do hope they pick it up in the Votes and Proceedings.

Mr. Chairman: Are we clear on fire fighting equipment? Clear.

Lot 19, Whitehorse.....

Mr. Chairman: I wonder if this is paid.

Mr. Legal Advisor: You are still talking to four walls when it comes to information on that. I will look into that question.

Mr. Chairman: Gentlemen, I wonder if at this point with no member of the administration to discuss this if we should continue.

Mr. Boyd: Mr. Chairman, we did agree in principle to go through with the purchase and they are now only getting it into the budget.

Mr. Legal Advisor: I have every reason to think it is paid for but the monies at that time was a temporary draw on money available because there was no money allocated. Part of the deal was to pay the taxes so this is really bumping back in that was already taken. I know the cheque is passed.

Mr. Taylor: In this respect I have another matter I would like to draw to the attention of the administration but unfortunately there is no people to deal with this and it is rather important because it effects the Territorial government subdivision in Teslin. Could we return to this tomorrow when there is someone here to discuss this with?

Mr. Boyd: Mr. Chairman I would move that Mr. Speaker do now resume the chair and hear the report of committee.

Mr. Watt: I will second the motion.

Mr. Southam: It has been moved by Councillor Boyd and seconded by Councillor Watt that Mr. Speaker do now resume the chair and hear the report of the chairman of committees. Are you agreed with the motion. Any contrary. The motion is carried and Mr. Speaker will now resume the chair.

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

Mr. Chairman: Council convened at 11:05 a.m. this morning to discuss bills, memoranda, and sessional papers. The committee first discussed sessional papers with Mr. Commissioner in attendance. Committee recessed at twelve noon and recessed until 2:30 following a visit to the Medium Security Institution. Councillor Shaw moved, seconded by Councillor Boyd that the committee concur with sessional paper #35. Motion carried. The committee then proceeded to discuss the supplementary estimates of Bill #11. I can report progress on Bill #11. Councillor Boyd moved, seconded by Councillor Watt that Mr. Speaker resume the chair and hear the report of the chairman of committees. This motion was carried.

Mr. Speaker: Thank you Mr. Chairman, you have heard the report of the chairman of committees. Are you satisfied? Any contrary? Now, gentlemen we have come to the time now as to our agenda. Of course our rules call that we meet tomorrow morning and if we don't it will require a motion to that effect. What is your pleasure?

Mr. Taylor: Mr. Speaker; in respect to the agenda I suggest nothing being put forward for Monday morning that we can't continue with the estimates. I suggest that this be done on Monday morning.

Mr. Speaker: I would bring to your attention Standing Order #2 which is as follows; "Council may meet on Mondays, Tuesdays, Wednesdays, Thursdays, Fridays, from ten o'clock to twelve o'clock noon and from two o'clock until five o'clock p.m. and from Ten o'clock until twelve o'clock noon on Saturdays and at such other times as Council may deem necessary." I think it would be necessary to have a motion if it is so felt that we do not meet tomorrow morning, namely Saturday before we can just decide it will be Monday.

Mr. Taylor: Well in view of the fact that the administration do on the work on Saturday and the fact that we could use the chance to catch up on our homework, I move that Council not sit on Saturday morning.

Mr. Watt: I second that.

Mr. Speaker: It has been moved by Councillor Taylor and seconded by Councillor Watt that this Council do not meet on Saturday the 19th of November. Are you ready for the question? Are you contrary. Agreed? The motion is carried. Now I think we should proceed to when we do meet.

Mr. Boyd: Does the Speaker require a motion when we meet again?

Mr. Speaker: Possibly a motion is in order, possibly that we adjourn at this time and meet on Monday morning.

Mr. Boyd: I move that Council now adjourn until 10:00 a.m. Monday morning.

Mr. MacKinnon: I second it.

Mr. Speaker: It has been moved by Councillor Boyd and seconded by Councillor MacKinnon that Council do now adjourn until Monday, November 21. Are you ready for the question? Are you agreed? Any contrary? The motion is carried and this Council stands adjourned until 10:00 a.m. Monday, November 21. Maria Commence

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